BEST COPY
AVAILABLE

UNITED NATIONS

S

Security Council

Distr.
GENERAL

S/1999/733
29 June 1999
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 28 JUNE 1999 FROM THE PERMANENT REPRESENTATIVE OF THE DEMOCRATIC REPUBLIC OF THE CONGO TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit to you herewith a copy of the document entitled "White paper on massive violations of human rights, the basic rules of international humanitarian law and environmental protection standards by the aggressor countries (Uganda, Rwanda and Burundi) and their Congolese accomplices in the eastern part of the Democratic Republic of the Congo: Volume II", covering the period from 6 November 1998 to 15 April 1999 (see annex).

This letter is submitted further to that of 24 February 1999, by which my Government transmitted volume I of the white paper to the Security Council (S/1999/205). My Government requests the Security Council to take note of these blatant violations of human rights perpetrated by the aggressors against the Congolese nation and to assume its responsibilities in full.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) André Mwamba KAPANGA
Ambassador
Permanent Representative

Annex

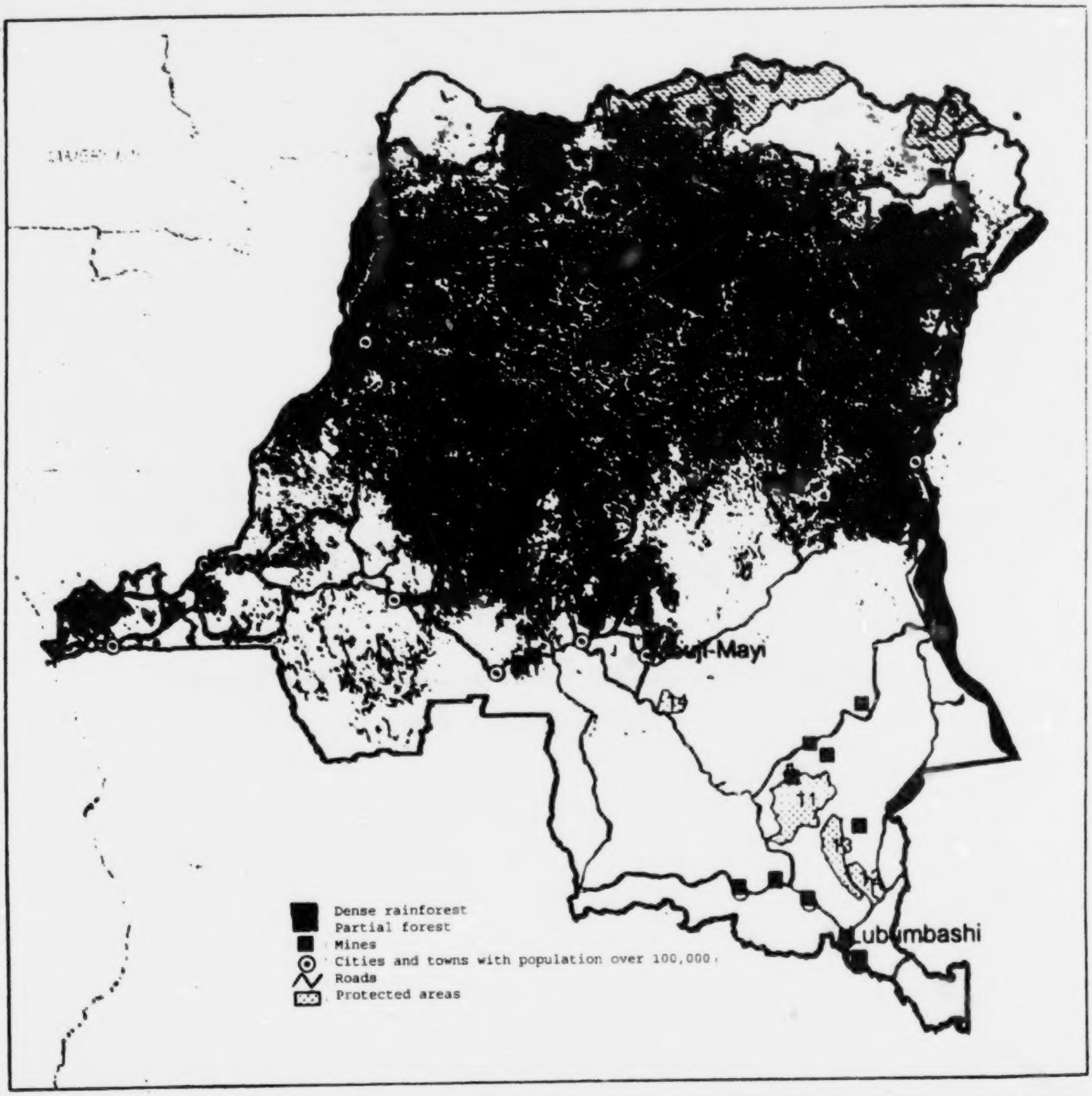
WHITE PAPER ON MASSIVE VIOLATIONS OF HUMAN RIGHTS, THE BASIC RULES OF INTERNATIONAL HUMANITARIAN LAW AND ENVIRONMENTAL PROTECTION STANDARDS BY THE AGGRESSOR COUNTRIES (UGANDA, RWANDA AND BURUNDI) AND THEIR CONGOLESE ACCOMPLICES IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO

VOLUME II

Covering the period from 6 November 1998 to 15 April 1999

Kinshasa, April 1999

Protected areas, forest cover and mines, Democratic Republic of the Congo


Mbuji-Mayi
Lubumbashi
11
13
Dense rainforest
Partial forest
Mines
Cities and towns with population over 100,000
Roads
Protected areas

Protected areas

1. Maiko National Park
2. Kahuzi-Biega National Park
3. Virunga National Park
4. Okapi Wildlife Reserve
5. Bomu Nature Reserve
6. Bili-Uere Game Preserve
7. Gangala-na Bodio Game Preserve
8. Garamba National Park
9. Rutshuru Game Preserve
10. Salonga National Park
11. Upemba National Park
12. Kundelungu National Park
13. Kundelungu West National Park
14. Shaba Wildlife Reserve
15. Yangambi Botanical Reserve
16. Lomako-Yekora Wildlife Reserve
17. Bombo-Lumene National Park
18. Luki Forest Reserve

Information on protected areas provided by the World Conservation Monitoring Centre (United Kingdom). Information on forest cover provided by TREES database, Joint Research Centre (Italy). Information on roads from World Statistical Map and the World Resources Institute (WRI).

0 100 200 300 400 Kilometres

CONTENTS

Page

INTRODUCTION 11

I. The Makobola, Kamituga, Ngweshe and Burhinyi massacres 15

II. The Geneva Conventions of 12 August 1949 and the additional Protocols of 1977 viewed in the context of the armed conflict in the Democratic Republic of the Congo 18

III. Serious damage done by the Rwandan, Ugandan and Burundian aggressors to the flora and fauna in the occupied territories in the eastern part of the Democratic Republic of the Congo 20

IV. The exploitation, sale and illegal trafficking in mining resources (gold and diamonds) in the eastern part of the Democratic Republic of the Congo by the aggressors 26

V. Introduction to the table summarizing the violations of human rights, the basic rules of international humanitarian law and environmental protection standards in the eastern part of the Democratic Republic of the Congo 30

VI. Outlook for the future 31

Table summarizing the massive violations of human rights, the basic rules of international humanitarian law and environmental protection standards committed in the eastern part of the Democratic Republic of the Congo covering the period from 6 November 1998 to 15 April 1999 36

Annex I. List of names of persons murdered at Makobola and other killings reported in Sud-Kivu 75

Annex II. List of the most endangered species and other species at serious risk established by the Washington Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) of 3 March 1973 98

Annex III. Photos of the Park Ranger on duty at Virunga National Park and the bombing of the Rwindi station, as well as Park flora and fauna;
Photo showing the arm of a child whose left arm was blown off by a bomb explosion 100

NATIONAL PARKS UNDER THREAT IN THE DEMOCRATIC REPUBLIC OF THE CONGO

In the Democratic Republic of the Congo itself and elsewhere it is frequently proclaimed that the country's geological and mining situation is a disaster. What is overlooked is that its environmental situation is also a disaster, as the above photo shows.

A national park is a territorial area established by the State with the purpose of conserving and protecting all animal, bird and insect species as well as all flora found in the park.

The Democratic Republic of the Congo has seven national parks, of which five have been declared the common heritage of mankind:

- Virunga (Nord-Kivu)
- Kahuzi-Biega (Sud-Kivu)
- Garamba (Orientale province)
- Kundelungu and Upemba (Katanga)
- Maïko (Orientale province)
- North and South Salonga (Équateur, Kasaï and Bandundu)

The Epulu Wildlife Reserve is also the common heritage of mankind. It is of particular importance among the national tourist resources and is home to several thousand okapi, an indigenous species found only in the Democratic Republic of the Congo. The white rhinoceros is also found only in our country. Unfortunately, these animals are being decimated by the Rwandan-Ugandan-Burundian coalition and their Congolese accomplices, which hunt them for their horns; these sell for more than US$ 300,000 apiece on the international market, since they are used to make products which are in great demand in Asia.

The reserves, parks and preserves together account for 8 per cent of the country's total surface area, i.e. 180,000 square kilometres.

FOREWORD

In the first volume of the white paper, the Ministry of Human Rights concentrated on the massive violations of human rights and of the basic rules of international humanitarian law by the aggressor countries (Uganda, Rwanda and Burundi) in the eastern part of the Democratic Republic of the Congo.

The second volume, after condemning the continuation and escalation of the above-mentioned violations, deals with the numerous serious instances of damage to the environment, the common heritage of mankind.

It is hardly necessary to recall here that one of the fundamental principles set forth in the Stockholm Declaration of 1972, which was referred to in the World Charter for Nature of 1982 and at the United Nations Conference on Environment and Development in 1992 (Earth Summit), requires that the natural resources of the earth, and especially representative samples of natural ecosystems, must be safeguarded for the benefit of present and future generations. This being so, it is difficult to understand the silence of the institutions which are supposed to protect nature, the United Nations Environment Programme (UNEP) and various non-governmental organizations, in the face of the despoliation and plundering of the environment by the aggressor States, particularly as certain rare endemic species such as the okapi are to be found only in the Congolese biotope. Our hope is that all these institutions lose no time in shaking off their lethargy and denouncing such wrongdoing, following the example of the Security Council, which used volume I of the white paper as an official document (S/1999/205) during the debate which culminated in the unanimous adoption of resolution 1234 (1999) at the Council's 3993rd meeting, on 9 April 1999.

On behalf of the Ministry of Human Rights I should like to express deep appreciation to the Ministry of Land Use Management, the Environment and Conservation of Nature, Fisheries and Forests and to the Congolese Institute for the Conservation of Nature (ICCN) as well as to the Ministry of Mines for having provided, in a spirit of partnership, the documents required for the preparation of this study.

Lastly, the Ministry of Human Rights wishes to convey its deep appreciation to the various non-governmental human rights organizations and to individuals who, in one way or another, contributed to the preparation of this second volume of the white paper. May it be of benefit to all mankind and to all States that are committed to peace and justice!

Léonard SHE OKITUNDU
Minister for Human Rights

Gorille de Montagne
Protégez-Moi

The photograph on the left shows eloquently that Rwanda, Uganda and Burundi care nothing for the environment, which is a factor of peace and of development. The Rio Declaration on Environment and Development supports Agenda 21 by setting out the rights and responsibilities of States on these matters. One of the fundamental principles it sets forth emphasizes that States have the sovereign right to exploit their own resources but not to cause damage to the environment of other States. Article 2, paragraph 4, of the 1973 Washington Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) follows the same line.

The photograph on the right shows a mountain gorilla appealing for protection against the effects of the war unjustly imposed on the Democratic Republic of the Congo by the Rwandan-Ugandan-Burundian coalition.

Soldiers of the Rwandan-Ugandan-Burundian coalition and their accomplices killed the country's most famous gorilla, Maheshe. Its remains were taken back to the country of Paul Kagame. Another equally famous gorilla at the Virunga National Park, Ninja, was slaughtered in the same way, while yet another, Mushamuka, was killed in the Kahuzi-Biega Park. The Congolese people says no to these criminal and barbarous acts. The Democratic Republic of the Congo calls on UNEP, the world's leading authority on environmental issues, to set up a committee to assess the damage to the fauna and flora of the Democratic Republic of the Congo as it did in the Balkans (the former Yugoslavia). What is the reason for this policy of double standards?

INTRODUCTION

1. As part of an effort to make both national and international public opinion aware of the massive violations of human rights, the basic rules of international humanitarian law and environmental protection standards, the Government of National Salvation, through the Ministry of Human Rights, has taken the initiative of issuing periodic publications which provide a summary account of the conduct of the aggressor States of the Democratic Republic of the Congo.

2. The violations reported amply demonstrate that the Rwandan, Ugandan and Burundian aggressors against the Democratic Republic of the Congo have no intention of disarming in the near future. Their machiavellian actions form part of a plan for the destabilization of the Congolese State and of the Government of National Salvation under His Excellency M'zee Laurent-Désiré Kabila.

3. Thus this second volume of the white paper has the virtue not only of condemning the massive violations of human rights and of the basic rules of international humanitarian law, as volume I did, but also of highlighting the serious damage done to the fauna and flora of the Democratic Republic of the Congo in defiance of international environmental standards.[1] It should be noted that the environment is the heritage of all peoples of the world; it is a factor not only of peace but also of development.

4. The desire to provide legal and material protection for the entire biosphere was expressed by the Stockholm Conference convened by General Assembly resolution 2398 (XXIII) of 3 December 1968, which produced the 1972 Declaration of the United Nations Conference on the Human Environment.[2]

5. One of the essential principles of the Stockholm Declaration is the one which proclaims, as a new human right, the fundamental right to freedom, equality and adequate conditions of life in an environment of a quality that permits a life of dignity and well-being (principle 1).

6. The Declaration also states the principle of the international responsibility of States for protection of the environment: "States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction" (principle 21).

7. It should be noted that in 1983 the United Nations established the World Commission on Environment and Development whose work brought about a new understanding of and sense of urgency to the need for development that was beneficial both for the environment and for the well-being of people everywhere.[3]

8. Increasingly, environmental degradation - which had been seen as a side effect of industrial pollution in the wealthier nations - was understood to be an issue which threatened the developing nations as well.

9. Led by Ms. Gro Harlem Bruntland, of Norway, the Commission put forward in its 1987 report to the General Assembly the concept of sustainable development, an alternative approach to one based solely on economic growth - one "which meets the needs of the present without compromising the ability of future generations to meet their own needs".

10. After considering the report, the General Assembly convened the United Nations Conference on Environment and Development at Rio de Janeiro in 1992, which became known as the Earth Summit.

11. The primary goals of the Conference were to agree on an approach to development that would protect the environment while ensuring economic development, and to lay the foundation for a global partnership between the developing and the more industrialized countries, based on mutual needs and common interests, to ensure a healthy future for the planet. Today, awareness of the need to support and sustain the environment is reflected in virtually all areas of the work of the United Nations.

12. The Governments attending the United Nations Conference on Environment and Development took a historic step in adopting Agenda 21, a comprehensive plan for global action in all areas of sustainable development. In addition to Agenda 21, which by seeking to meet the needs of all peoples addresses both environment and development goals, the Summit adopted the Rio Declaration on Environment and Development, which defines the rights and responsibilities of States, and the Statement of Forest Principles, guidelines for the sustainable development of forests worldwide.

13. In the same context, two legally binding conventions, one on climate change (in force since 1994) and the other on biological diversity (in force since 1993), were negotiated during the period preceding the Summit and opened for signature in Rio de Janeiro. Biodiversity, in other words the diversity of plant and animal species, is essential to human survival.

14. The objectives of the Convention on Biological Diversity, which was signed by 172 States, were the protection and preservation of the vast range of animal and plant species and of their habitat. The Convention binds States to conserve biodiversity, to guarantee its sustainable development and to ensure the just and equitable sharing of the benefits arising from the utilization of genetic resources.

15. The Government of National Salvation draws the attention of the international community to the fact that the Rwandan-Ugandan-Burundian coalition, acting with impunity, is looting and destroying our protected areas and the habitats intended to preserve our endemic species, inter alia, the white rhinoceros, the okapi, the elephant and the mountain gorilla. Endangered species are also protected by the 1973 Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES),[4] which is administered by

UNEP, the leading world authority on matters relating to the protection and improvement of the environment.

16. It should also be pointed out that the aggressor States are violating relevant provisions of the African Charter on Human and Peoples' Rights of 1981, specifically article 21, paragraph 1, thereof, which reads as follows: "All peoples shall freely dispose of their wealth and natural resources. This right shall be exercised in the exclusive interest of the people. In no case shall a people be deprived of it."

17. Unfortunately, Rwanda, Uganda and Burundi are pillaging and looting our raw materials (gold and diamonds) with impunity, in disregard of the relevant provisions of the Charter of the United Nations, the International Bill of Human Rights, the Charter of the Organization of African Unity and the African Charter on Human and Peoples' Rights.

18. Having regard to principle 1 of the Declaration of the United Nations Conference on the Human Environment, the Government of National Salvation wonders whether the Congolese victims of the above-mentioned attacks on the environment are enjoying adequate conditions of life and an environment of a quality that permits a life of dignity and well-being.

19. The Democratic Republic of the Congo, which is anxious to fulfil its international commitments, finds itself unable, whether it likes it or not, to fully implement the first part of principle 21 of that same Stockholm Declaration because of the aggression of which it is the target. According to that principle, States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental policies.

20. Because of the aggression of which it is the target, particularly the occupation of its territory by the armies of Rwanda, Uganda and Burundi, the Democratic Republic of the Congo is unable to implement article 24 of the African Charter on Human and Peoples' Rights which states that: "all peoples shall have the right to a general satisfactory environment favourable to their development".

21. The Democratic Republic of the Congo wishes to remind the Rwandan-Ugandan-Burundian coalition that it is now recognized that all the elements of the environment (air, water, soil, natural resources, fauna and flora), whether under national jurisdiction or in international spaces, must be protected in the interest of present and future generations because they are the irreplaceable heritage of all peoples of the world and must be preserved for the good of humanity[5] (United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention concerning the Protection of the World Cultural and Natural Heritage, 23 November 1972).

22. It is deplorable to note that our aggressors are engaging daily in gross and systematic violations of the fundamental rules and principles of environmental law in the occupied territories in the eastern part of the Democratic Republic of the Congo, pillaging and destroying the fauna and flora of the Virunga, Garamba and Kahuzi-Biega National Parks for commercial profit.[6]

23. International traffic in wild fauna and flora amounts to billions of dollars each year and is responsible for the tremendous drop in the numbers of many animal and plant species. For the benefit of national and international public opinion, the Ministry of Human Rights, in collaboration with the Ministry of Land Use Management, the Environment and Conservation of Nature, Fisheries and Forests, has calculated what this has cost the Democratic Republic of the Congo in terms of loss of earnings from July 1997 to date.

24. The Democratic Republic of the Congo invites UNESCO, which has classified some of our parks as part of the common heritage of mankind, the Food and Agriculture Organization of the United Nations (FAO), the International Union for the Conservation of Nature and Natural Resources - World Conservation Union (UICN), UNEP and the World Wildlife Fund to strongly condemn the attacks on the environment being perpetrated by the aggressor States and to put pressure on them so as to secure their immediate and unconditional withdrawal from the protected areas.

25. Contrary to what the aggressors are doing in the occupied territories, where civilians, including vulnerable persons, are massacred, raped, tortured, deported and robbed of their personal possessions and property, the Government of National Salvation, mindful of its international commitments, is protecting Rwandan, Ugandan and Burundian Tutsis in appropriate sites. Officials from the Office of the United Nations High Commissioner for Refugees (UNHCR) and the International Committee of the Red Cross (ICRC) visit them regularly and question them, without witnesses, to make sure that the protection accorded them by the Government of National Salvation is, indeed, effective.

26. It should be remembered that, since the Charter of the United Nations was adopted on 26 June 1945, war has been outlawed as a means of conducting the national policy of a State. War in itself is a clear violation of human rights. Relations between present-day States are supposed to be peaceful and to reflect the renunciation by those States of the use of force as a means of securing the execution of commitments undertaken at the international level.

27. It is also worth recalling the principle of respect for the territorial integrity of States and the principle of the non-use of force contained in General Assembly resolution 2625 (XXV) of 24 October 1970, better known as the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations. These are principles of customary international law, most - if not all - of which are regularly reaffirmed in treaties or unilaterally. They must be observed by all States, whether they are members of the United Nations or not.

28. It follows from the above that volume II of the white paper will comprise the following sections: (I) the Makobola and Kamituga massacres in the light of international humanitarian law; (II) the fiftieth anniversary of the Geneva Conventions of 12 August 1949 and the additional Protocols thereto of 1977 viewed in the context of the armed conflict in the Democratic Republic of the Congo; (III) serious attacks on the fauna and flora in the occupied territories in the eastern part of the Democratic Republic of the Congo; (IV) the illegal traffic in mining resources (including gold and diamonds) and forest resources (wood and coffee) in the eastern part of the Democratic Republic of the Congo by

/...

the aggressors; (V) presentation of a table summarizing the human rights violations in the eastern provinces; and (VI) the outlook for the future.

I. THE MAKOBOLA, KAMITUGA, NGWESHE AND BURHINYI MASSACRES

29. At a time when the international community as a whole and the Democratic Republic of the Congo in particular were celebrating the feast of Saint Sylvester in the first hours of 1999, the blood of the peaceful civilian population of Makobola was flowing freely because of the massacres perpetrated by the Tutsi in command of the rebel movement in the Democratic Republic of the Congo.

30. It has been pointed out that Mr. Bizimana Karaha, one of the recognized leaders of the Rassemblement Congolais pour la Démocratie (RCD), was present while those criminal and barbaric acts were being committed. Moreover, Mr. Karaha has admitted as much.

31. The death toll in this killing, or rather slaughter, was more than 615 civilians murdered in a cowardly fashion. Most of these persons were in the vulnerable category.[7] One can only wonder at this juncture what real motives and political and legal gains prompted officials of the Rassemblement Congolais pour la Démocratie, who are controlled by Rwanda and Uganda, to engage in such a bloodbath.

32. Any informed observer of the war which has been thrust upon the Congolese people since August 1998 can see that the Tutsi aggressors often play games and pretend that they are being victimized in order to win the international community's sympathy and compassion. The purpose of the Makobola massacre was to pin the blame for that criminal act on the regular forces of the Congolese Armed Forces and on their supreme commander, M'zee Laurent-Désiré Kabila, as was done recently in the slaughter of six Western tourists in Uganda; people have sought to blame that on the Congolese State, ignoring the fact that that crime was committed in territories occupied and controlled by the aggressor States and their RCD and Mouvement de Libération du Congo (MLC) agents.

33. It is regrettable to note that the Rwandan-Ugandan-Burundian coalition continues to violate with impunity the relevant provisions of the Geneva Conventions of 12 August 1949 on international humanitarian law, the fiftieth anniversary of which the international community is preparing to celebrate on 12 August 1999, just as it celebrated the fiftieth anniversary of the Universal Declaration of Human Rights of 10 December 1948.

34. The Makobola massacre - which was denounced by the Missionary Service News Agency (MISNA), a Rome-based news service known to all observers of international events as an independent body - violates the relevant provisions of article 51 of Protocol I relating to the protection of victims of international armed conflicts and article 33 of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, which prohibits reprisals against protected persons and their property.

35. Moreover, all things being equal, the Kamituga, Ngweshe and Burhinyi massacres fit into the same scheme as the Makobola massacre, the common denominator being that they violate the provisions of article 40 of the Protocol additional to the Geneva Conventions, which relates to quarter.[8]

36. According to the Human Rights Watch report, in addition to the events which took place at Kasika, there are other massacres which should be investigated, including those which took place in the Makobola region in Sud-Kivu. The authorities of the Rassemblement Démocratique Congolais and those of the Governments of Rwanda, Uganda and Burundi must order their military forces present in the Congo to cooperate with the organizations responsible for conducting these investigations and punishing the guilty.[9]

37. The basis in international humanitarian law for international "public action" to ensure observance of the rules and values which are essential to the international community is article 1 common to the four Geneva Conventions, which requires all States parties not only to abide by those Conventions but also to ensure that they are observed.

38. States that commit human rights violations cannot cite the principle of "non-interference in the internal affairs" of a State that is a member of the international community for the simple reason that this is a matter which is part of jus cogens (peremptory international law). As was noted by the colloquium of jurists which met in Le Mans, the obligation to respect human rights is incumbent on all States vis-à-vis the international community as a whole, and all States have a legal interest in protecting human rights.[10]

39. With this in mind, the Democratic Republic of the Congo brought emergency proceedings before the African Commission on Human and Peoples' Rights under article 49 of the African Charter on Human and Peoples' Rights of 28 June 1981.

40. In its submissions, the Democratic Republic of the Congo asks the Commission:

1. To establish that relevant provisions of the International Bill of Human Rights and of the African Charter on Human and Peoples' Rights have been violated;

2. To condemn the aggression against the Democratic Republic of the Congo which is resulting in serious violations of the human rights of the peaceful Congolese people;

3. To send a commission of inquiry to the field in order to establish the barbaric nature of the aggressors' actions;

4. To demand the unconditional withdrawal of the aggressor troops from Congolese territory so as to put an end to the serious and gross violations of human rights;

5. To demand just reparation from the aggressor countries for the damage caused and for the acts of looting;

/...

6. To indicate appropriate measures to punish the perpetrators of war crimes and crimes against humanity committed on Congolese territory.

41. The Democratic Republic of the Congo is pleased to see that the United Nations Security Council has shaken off its lethargy and that on 9 April 1999 it adopted resolution 1234 (1999) concerning the situation of war prevailing in its territory whereby the Council condemned all massacres carried out there. The Democratic Republic of the Congo also supports the Council's call for an international investigation into all such events, including those massacres in Sud-Kivu province, with a view to bringing to justice those responsible.[11]

42. The Government of National Salvation and the Congolese people as a whole would have liked the Security Council to clearly name the Rwandan-Ugandan-Burundian aggressors so as to discourage those States from pursuing their activities which constitute an infringement of the guiding principles cited in Article 2 of the Charter of the United Nations. These principles have become jus cogens and must therefore be respected by all States without exception.

43. The Democratic Republic of the Congo is a peace-loving and justice-loving State which is anxious to pursue a policy of good-neighbourliness with the nine States that surround it, and it regrets the bellicose and irredentist statements made by Paul Kagame, Vice-President and Minister of Defence of Rwanda, who stated, inter alia, that he would pursue the war in the Democratic Republic of the Congo with or without the support of the "rebel movement" which he is actively supporting.

44. Such bellicose statements violate General Assembly resolution 2625 (XXV) of 24 October 1970, which contains the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, since under the latter, Member States have the duty "to refrain from propaganda for wars of aggression" and "to refrain from organizing or encouraging the organization of irregular forces or armed bands". The International Covenant on Civil and Political Rights likewise prohibits, in article 20, any propaganda for war.

45. In fact, we are witnessing a policy and practice of "State terrorism" which General Assembly resolution 39/159 of 17 December 1984, concerning the inadmissibility of the policy of State terrorism and any actions by States aimed at undermining the socio-political system in other sovereign States, resolutely condemns as a method of dealing with other States and peoples.

46. For its part, the Democratic Republic of the Congo wishes to underscore that States have a duty to cooperate with one another in the maintenance of international peace and security.

II. THE GENEVA CONVENTIONS OF 12 AUGUST 1949 AND THE ADDITIONAL PROTOCOLS OF 1977 VIEWED IN THE CONTEXT OF THE ARMED CONFLICT IN THE DEMOCRATIC REPUBLIC OF THE CONGO

47. The forthcoming fiftieth anniversary of the Geneva Conventions of 12 August 1949 which deal with international humanitarian law provides an opportunity for States which have signed and become party to the Conventions to reflect upon the degree of applicability of the provisions governing conduct of hostilities and respect for the civilian population, including vulnerable persons considered as non-combatants.

48. The Geneva Conventions and the 1977 Protocols additional thereto are common property which can be invoked in particular circumstances and which must be widely publicized both in specialized circles and among the general public.[12]

49. It should be pointed out that the main sources of international humanitarian law are the Geneva Conventions and the Protocols additional thereto. There are four Geneva Conventions adopted on 12 August 1949, namely:

- The Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention);
- The Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention);
- The Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); and
- The Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention).

50. These Conventions apply in time of war, regardless of whether or not the armed conflict is international. In 1977, these four Conventions were supplemented by two protocols, Protocol I relating to the Protection of Victims of International Armed Conflicts and Protocol II relating to the Protection of Victims of Non-international Armed Conflicts.

51. The task of seeing to the implementation and development of international humanitarian law fell to ICRC. The Committee is a non-governmental organization which States parties to the Geneva Conventions and to the Protocols additional thereto have entrusted with the special responsibility of monitoring, investigating and protecting victims of armed conflicts.

52. In order for international humanitarian law to cease being a dream and become a reality all States which have ratified the Conventions must adhere to the spirit and letter of these instruments. Let us no longer have, in the world arena, some States which are exempted from their obligations and others which are required to honour theirs.

/...

53. In the context of the war that has been thrust upon the Democratic Republic of the Congo by the Rwandan-Ugandan-Burundian aggressors, the Democratic Republic of the Congo is endeavouring to respect its international obligations. Desiring to abide by the Fourth Geneva Convention and without demanding reciprocity, on 12 August 1998, the Government of National Salvation established an interdepartmental commission for humanitarian questions in an effort to ensure the protection of individuals belonging to the Tutsi ethnic group who are being housed in various shelters both in Kinshasa and in Katanga province. These individuals are not prisoners; but they are being held in those sites for their own security. ICRC is free to visit them whenever it wishes.

54. In several cases, for example in the taking of Matadi, although air strikes (bombarding) would have been the quickest solution, the Government refused to go that route so as not to damage civilian property and also so as not to harm civilians. Abiding by article 33 of the Fourth Geneva Convention, the Democratic Republic of the Congo has never engaged in reprisals against the Tutsi population who are being protected at various sites, even though the Rwandan-Ugandan-Burundian coalition was carrying out massacres in the eastern part of the country.

55. The Democratic Republic of the Congo has always set itself the duty of making a distinction between combatants and non-combatants. Similarly, even when popular discontent was at its height, the Congolese people never engaged in such behaviour as disembowelling pregnant women, smashing the heads of newborn babies against walls or pounding babies in mortars. This has been common practice among the aggressors, who are accustomed to a genocidal culture.

56. Implementing international humanitarian law requires the involvement of governmental and non-governmental bodies, experts in various fields and political will. In the case of the Democratic Republic of the Congo, this political will was demonstrated at the time of the celebration of the fiftieth anniversary of the Universal Declaration of Human Rights. The Minister of Human Rights, in collaboration with the office of the United Nations High Commissioner for Human Rights in the Democratic Republic of the Congo organized training seminars in academic institutions and non-governmental human rights organizations and among magistrates, police officers and the media. The main goal was to provide all participants with sufficient training in the area of human rights and international humanitarian law.

57. Similarly, the Democratic Republic of the Congo wishes to take the opportunity offered by the fiftieth anniversary of the Geneva Conventions of 12 August 1949 to conduct a campaign, in collaboration with ICRC, to educate the public about international humanitarian law so as to promote lofty ideas appropriate for people who value peace and justice.

58. The Machiavellian Rwandan-Ugandan-Burundian coalition, on the other hand, is waging this war of aggression with complete disregard for the rules of international humanitarian law. Even though they are signatories to the four Geneva Conventions and the two Protocols additional thereto, these aggressor States and their accomplices are making no effort to fulfil the international obligations which they undertook when ratifying these instruments. It should also be pointed out that gross violations of the basic rules of international

humanitarian law have repeatedly been observed in the camp of the aggressors. The latter make no distinction between combatants and non-combatants, attack civilian property and military targets indiscriminately, are known for their treachery and have a special predilection in their destructive work for vulnerable persons.

59. The aggressors also attack the property of international organizations, hospitals, places of worship, protected species and goods that are essential to the survival of the population. There is no doubt but that their action is a complete negation of the rules of international humanitarian law and particularly of the Fourth Geneva Convention. They engage in unlawful exploitation of minerals, wood and coffee; entire factories are dismantled; their activities in the eastern part of the country are akin to orchestrated pillage, which is prohibited under article 33 of the Fourth Geneva Convention. The occupied territories are filled with mass graves, testifying to numerous massacres perpetrated in the eastern part of the Democratic Republic of the Congo. They publicly execute prisoners of war after subjecting them to dreadful torture, in flagrant violation of the Third Geneva Convention relative to the Protection of Prisoners of War.

III. SERIOUS DAMAGE DONE BY THE RWANDAN, UGANDAN AND BURUNDIAN AGGRESSORS TO THE FLORA AND FAUNA IN THE OCCUPIED TERRITORIES IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO

60. The United Nations Conference on the Human Environment held in Stockholm from 5 to 16 June 1972 concluded with a declaration setting out certain principles that still govern efforts to formulate international environmental law.[13] Of particular note is the close link between human rights and protection of the environment established in principle 1 of that Declaration of the United Nations Conference on the Human Environment, which states that "man has the fundamental right to freedom, equality and adequate conditions of life, in an environment of a quality that permits a life of dignity and well-being".

61. The Rio Declaration on Environment and Development supports Agenda 21 by defining the rights and responsibilities of States with regard to environmental issues. It sets out, inter alia, the following principles:

- Human beings are at the centre of concerns for sustainable development;
- They are entitled to a healthy and productive life in harmony with nature;
- States have the right to exploit their own resources but not to cause damage to the environment of other States.

In this connection, the Government of National Salvation invites the international community to point out to the Rwandan-Ugandan-Burundian coalition that it must conform to this last relevant principle of the Rio Declaration.

/...

62. Human beings bear, moreover, a solemn responsibility to protect and improve the environment for present and future generations. Accordingly, five of our sites have been declared "world heritage sites", namely, the Garamba, Virunga, Maiko, Kahuzi-Biega and Upemba National Parks.

1.1. On-site conditions in the protected areas under occupation

63. The Government of National Salvation and the Congolese people strongly denounce the endangering of our protected areas and our national heritage as a whole as a result of the ongoing aggression against the Democratic Republic of the Congo. By violating and destroying our protected areas, the Rwandan-Ugandan-Burundian coalition is also infringing human rights.

64. Article 25 of the International Covenant on Economic, Social and Cultural Rights states that "Nothing in the present Covenant shall be interpreted as impairing the inherent right of all peoples to enjoy and utilize fully and freely their natural wealth and resources".

65. It is necessary to remind the aggressors that, like the first generation of human rights comprising civil and political rights and the second generation comprising economic, social and cultural rights, the right to peace and the right to a sound environment are now third-generation rights. The Democratic Republic of the Congo therefore invites the international community and the international agencies involved in promoting and protecting human rights to exert pressure on the aggressor Governments to put an immediate halt to their depredation of the flora and fauna of its territory.

66. The geographic situation of our parks, game preserves and associated reserves leaves our flora and fauna dangerously exposed to enemy incursions and poaching inroads that often reach critical levels, raising the possibility that we will see our rare species become extinct.

67. This is confirmed by shocking reports of the devastated condition of our parks and reserves under the occupation of aggressor troops in the provinces of Sud-Kivu, Nord-Kivu, Orientale and Maniema. Specifically, there have been widespread massacres, the malicious destruction of our ecosystems, flora and fauna, the removal to Rwanda and Uganda of our okapi, rhinoceros and mountain gorillas, all of them rare species that belong to the common heritage of mankind. What we are witnessing is a veritable, deliberately induced ecological catastrophe that amounts to "ecocide".

68. Before the war, our protected northern white rhinoceros population numbered about 24, of which 9 were adult females, 8 were adult males, 2 juvenile females, 2 juvenile males and 3 babies. It is reported also that the invaders are virtually wiping out elephant, hippopotamus, buffalo and antelope herds in the Kahuzi-Biega, Virunga, Maïko and Garamba National Parks.

69. The Ministry of Human Rights, in collaboration with the Congolese Institute for the Conservation of Nature (ICCN) hereby brings to the attention of the public, both nationally and internationally, the following account of the situation in the protected areas since 2 August 1998.

A. Garamba National Park and adjacent reserves

70. A number of the rebel troops of the Sudan People's Liberation Army (SPLA) who were used by the aggressors in capturing the town of Dungu never returned to the Sudan. Most of them have set themselves up in the Catholic mission in Duru and the patrol posts comprising the Park Guard Post at Bagbele and Tekadje, and in the villages around the Park. They reopened their poaching camps known as Africa Moto and Okuma Mafi even though they had been destroyed in 1997 by the Congolese Armed Forces. The SPLA troops are thus placing unprecedented pressure on the animal life in Garamba National Park. The population of the Park's star species, the northern white rhinoceros, which had risen to 31, is now endangered. Just last February, one rhinoceros was killed by poachers.

71. It is appropriate to remind our attackers, especially Uganda and also, in this case, the Sudan,[14] that the Democratic Republic of the Congo, Uganda and the Sudan concluded the Khartoum Protocol of Understanding of 24 January 1982 on the conservation of common natural resources, which deals especially with protected migratory species of wildlife that circulate among the three States. That Protocol of Understanding was concluded pursuant to the 1973 Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), and led to the regulation of trade in ivory and rhinoceros horn and of removal of species such as tortoises and crocodiles. Consequently, the Rwandan-Ugandan-Burundian coalition has an international responsibility in that regard under the CITES Convention.

B. Virunga National Park and Rutshuru Game Preserve

72. The Rwindi station, the administrative headquarters of the central sector of the Park where a luxury hotel stood, has again been destroyed. This criminal behaviour contravenes article 53 of the Fourth Geneva Convention, which prohibits the destruction by an Occupying Power of real or personal property belonging individually or collectively to private persons, or to the State, or to other organizations. Moreover, regular attacks have forced most of the guards to abandon their posts. The few guards who have remained with the conservator are living there alone without their families.

73. In January 1999, three guards returning from the market were killed in an ambush laid by the aggressors. In addition, 15 persons have secured illegal land rights for the development of over 1,700 hectares in the Park; some of those irregular concessions encompass the Kasirusiru and Mulume-Munene patrol posts. These actions are violations, respectively, of article 3 of the Universal Declaration of Human Rights, article 6 of the International Covenant on Civil and Political Rights and article 32 of the Fourth Geneva Convention, and they systematically violate General Assembly resolution 1803 (XVII) of 14 December 1962 on permanent sovereignty over natural resources.

C. Maïko National Park and the Bili-Uere, Maïkapenge, Rubitele and Luama Game Preserves

74. The administrators of the Congolese Institute for the Conservation of Nature (ICCN) have been unable to obtain any reliable information, given the ongoing war. Nevertheless, in view of the exceptional biological value of the

/...

protected areas under occupation, international non-governmental organizations dealing with nature conservancy continue to provide, from a distance, logistical support (rations, medicines) and financial support (incentive awards) in those areas. The organizations involved are the World Wide Fund for Nature and the International Rhino Foundation in the case of Garamba National Park and the Wildlife Conservation Society and Gilman Investment Company in the case of the okapi wildlife reserve.

1.2. Consequences of the situation described

75. It should be noted that until 1991, before the organized pillage by the previous regime, 90 per cent of ICCN revenue came from the Virunga and Kahuzi-Biega National Parks, through organized visits to the mountain gorillas (ecotourism) and the related fees. Park revenues in that period were as high as US$ 70,000 a month. At present, the destruction of infrastructure in the two parks, the loss of all work materials and the prevailing lack of safety in the eastern part of the country have reduced the Institute's income to zero.

76. The loss of earnings affects other sectors as well, such as hotel management, local crafts and the treasury, which should be collecting entry visa fees from tourists. Under the circumstances, the responsibility must be laid squarely on the States committing aggression against the Democratic Republic of the Congo.

1.3. Responsibility for environmental damage to the flora and fauna of the Democratic Republic of the Congo by the Rwandan, Ugandan and Burundian aggressors and their accomplices

77. As indicated earlier, regardless of the outcome of the war declared on the Democratic Republic of the Congo by Rwanda, Uganda and Burundi, there is no way to camouflage the international responsibility of these three States, especially in the environmental sphere, given the damage to the Congolese State caused by their criminal behaviour. It should be noted that nations have promulgated international, regional and national environmental norms, such as the World Charter for Nature adopted and solemnly proclaimed in General Assembly resolution 37/7 of 28 October 1982. The fourth preambular paragraph of the Charter states that "competition for scarce resources creates conflicts, whereas the conservation of nature and natural resources contributes to justice and the maintenance of peace and cannot be achieved until mankind learns to live in peace and to forsake war and armaments". There is not the slightest doubt that Rwanda, Uganda and Burundi, as States Members of the United Nations, must respect international, regional and local environmental norms.

78. Among the principles set out in that 1982 World Charter for Nature that have been violated by the aggressors are the following:

- Nature shall be respected and its essential processes shall not be impaired;

/...

- The genetic viability on the earth shall not be compromised; the population levels of all life forms, wild and domesticated, must be at least sufficient for their survival, and to this end necessary habitats shall be safeguarded;

- Nature shall be secured against degradation caused by warfare or other hostile activities.

79. In addition to the World Charter for Nature, the aggressors have also violated provisions of international humanitarian law on the environment, in particular:

- Article 35, paragraphs 1 and 3, of the Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the protection of victims of international armed conflicts (Protocol I);

- Article 55 of Protocol I, which provides for the protection of the natural environment.[15]

80. In the cultural realm, the General Conference of UNESCO, by adopting the Convention for the protection fo the world cultural and natural heritage of 23 November 1972, sought to link culture and nature. Accordingly, the Democratic Republic of the Congo most strongly condemns the destruction of our national parks which have been designated world heritage sites. Given the events and legal provisions cited above, is it not possible to attribute to the Rwandan-Ugandan-Burundian coalition some sort of international responsibility with regard to the environment in the eastern part of the Democratic Republic of the Congo?

81. The failure to comply with environmental norms can cause ecological damage for which a State, the user or the author of the damage is held responsible.

82. According to the classic definition, international responsibility is the legal consequence of the breach of an obligation established by virtue of a norm of international law; it obligates the State which is the author of the wrongful act to make reparation for the injury caused.

83. Generally speaking, international responsibility comes into play when there has been a violation of international law or the commission of an internationally wrongful act (an action, omission or deliberate failure to act), the violation or conduct is attributable to a subject of international law and there is a victim who has sustained individualized and direct injury (material and/or moral).

84. In the present case, all the elements are present, enabling us to impute responsibility to Rwanda, Uganda and Burundi in their war of aggression against the Democratic Republic of the Congo. The aggressor countries have committed clear violations under the terms of international law: acts of aggression, violations of the sovereignty and territorial integrity of a State Member of the United Nations and a member of the Organization of African Unity, violation of basic rules and principles of international humanitarian law, massive violations

/...

of fundamental individual rights and violations of provisions of international environmental law.

85. The Geneva Conventions of 12 August 1949 and their additional Protocols on international humanitarian law are being violated daily by the aggressor countries, in particular the provisions governing environmental law (Protocol I, art. 35, paras. 1 and 3, and art. 55).

86. Furthermore, as article 19, paragraph 2, of the draft articles on State responsibility of the International Law Commission stipulates, any "internationally wrongful act which results from the breach by the State of an international obligation so essential for the protection of fundamental interests of the international community that its breach is recognized as a crime by that community as a whole" constitutes an international crime. Article 19, paragraph 3, includes a list of international crimes, among them aggression, the maintenance by force of colonial domination, slavery, genocide, apartheid and, specifically, serious harm to the environment.

1.4. Estimated cost of the war damage (in US dollars)

Table 1. To the national parks

Damage to parks	Deforestation	Killing of fauna	Loss of revenue from tourism	Other ecological damage	Subtotal
Virunga National Park	34 104 000	139 338 000	5 075 000	21 291 600	199 808 600
Kahuzi-Biega National Park	11 368 000	11 368 000	2 450 000	8 124 600	33 310 600
Garamba National Park	-	19 220 000	2 500 000	3 966 600	25 686 600
Partial total	45 472 000	169 926 000	10 025 000	33 382 800	258 805 800

Table 2. To the environment in general

	Security services	Replacement of drainage infrastructures	Control of zoonoses and veterinary medical surveillance
Sud-Kivu Bukavu	8 500 000	15 000 000	± 2 000 000
Nord-Kivu/Goma	8 500 000	15 000 000	± 2 000 000
Assessment projects over a 2-year period	4 000 000	-	-
Partial total	21 000 000	30 000 000	55 000 000

TOTAL (table 1 and table 2): US$ 313,805,800 (US$ 258,805,800 + US$ 55,000,000)

87. In view of the injury done to the Democratic Republic of the Congo as a result of the serious damage done to its flora and fauna by the aggressors and the loss of revenue resulting from the fraudulent mining and marketing of precious stones, the Government of National Salvation intends to apply to international tribunals, and particularly to the International Court of Justice, for compensation.

88. The environmental degradation in general and the destruction of renewable natural resources (flora and fauna) in the national parks as a consequence of the war are seriously wrongful acts. The costs estimated for purposes of compensation are in fact only the tip of the iceberg: the harm goes deeper and is harder to quantify.

IV. THE EXPLOITATION, SALE AND ILLEGAL TRAFFICKING IN MINING RESOURCES (GOLD AND DIAMONDS) IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO BY THE AGGRESSORS

89. The equal rights and self-determination of peoples constitute the fundamental principles governing relations among States.[16] It follows from these principles that no State may engage with impunity in the illegal and fraudulent exploitation and sale of the natural and mining resources of another State. In today's world, there is no independence without control of economic activity. This accounts for the emphasis currently placed on the economic component of sovereignty.[17]

90. It is clear that there are many economic motives for the war that is being unjustly waged against the Democratic Republic of the Congo by the Rwandan-Ugandan-Burundian coalition. This was pertinently illustrated by the spokesman for the United States Department of State, Mr. Rubin, when he condemned the plundering of the wealth of the Democratic Republic of the Congo, chiefly

/...

timber, gold and diamonds, by Rwanda and Uganda.[18] Multinational corporations such as Littlerock Mining Limited and Tenfield Holdings Limited are operating illicitly in Mongbau in Orientale province without having obtained duly authorized operating permits from the Government of National Salvation. This fraudulent trafficking in the gold and diamonds of the Democratic Republic of the Congo by the aggressors and their accomplices constitutes a flagrant violation of article 33, paragraph 2, of the Fourth Geneva Convention, which prohibits pillage, and of General Assembly resolution 1803 (XVII) of 14 December 1962, on permanent sovereignty over natural resources.

91. Similarly, it should also be noted that the 1974 Charter of Economic Rights and Duties of States recalls, in article 2, paragraph 1, that "Every State has and shall freely exercise full permanent sovereignty, including possession, use and disposal, over all its wealth, natural resources and economic activities". In this connection, the Government of National Salvation wishes to reaffirm through the Ministry of Human Rights its sovereignty over all its natural resources.

92. This war of aggression is aimed solely at blocking the democratic process in progress, impeding the Three-Year Plan for National Reconstruction and reactivating the hotbeds of smuggling and trafficking in drugs, precious substances (gold and diamonds) and other materials while also disrupting the infrastructure of the Democratic Republic of the Congo and preventing the recovery and growth of the national economy.

93. As for the economic infrastructure, and especially the factories at Bukavu, Bunia, Kisangani and Isiro, it has been dismantled and dispatched to Rwanda and Uganda. Did not President Musaveni in fact maintain before his Parliament that this was a profitable war! He has set his sights on Mbuji-Mayi and Katanga, not because these provinces are overflowing with Hutu rebels, but rather because they are the site of immeasurable mining wealth. It is easy to see that a statement like this is nothing more than a plan for the systematic pillaging of the mining resources of both Kasaï and Katanga.

2.1. The plundering of gold and diamonds by our aggressors

94. The international community should know that in the Democratic Republic of the Congo gold is exploited mainly in the eastern provinces, namely Orientale, Sud-Kivu, Maniema and Nord-Kivu. These provinces are currently occupied by the forces of aggression in defiance of the relevant provisions of international law in general and those of international humanitarian law and the International Bill of Human Rights in particular.

95. The Ministry of Human Rights, in collaboration with the Ministry of Mines and, in particular, the Centre national d'expertise (CNE), reports that the Centre has lost all contact with its branches in Bunia, Bukavu, Goma and Kindu because of the aggression.

Statistical analysis by the Centre national d'expertise (CNE) of gold exploitation over the past five years

Exploitation of gold in peacetime

Year	Kilograms	Value (in US dollars)
1994	717.121	7 022 897
1995	841.927	8 562 510
1996	248.243	2 416 259
1997	393.773	2 945 892
1998	1 151.457	9 549 852
Total	3 352.521	30 496 150

96. As can be observed, the analysis of gold exploitation over the past five years reveals an average annual figure of 670.504 kilograms valued at US$ 6,092,230, giving a monthly average of 58.875 kilograms valued at US$ 507,680.83.

Loss of income

97. Over the eight months of occupation, the National Treasury has lost 447 kilograms of gold worth US$ 4,061,486.06. As for the 3-per-cent value added tax (VAT) the State has lost US$ 121,844.58.

Statistical analysis of diamond exploitation

98. In the occupied territories, particularly Orientale province, diamonds are exploited on a small scale by local people, in spite of the laws governing the exploitation and sale of these precious stones. Before the war, the Kisangani branch of CNE had eight counters with 14 buyers on average.

99. Purchases during the first seven months of 1998 were estimated at 185,216.267 carats worth US$ 2,161,176. The loss of income due to the war stands at:

- Carats: US$ 26,459.464 x 8 months = US$ 211,675.712
- Value: US$ 2,161,176 x 8 months = US$ 17,289,408
- VAT: US$ 17,289,408 x 3 per cent = US$ 518,682.24

100. Loss of earnings from export duty are US$ 17,289,408 x 1.8 per cent, or US$ 209,341. In terms of turnover tax, then, the treasury lost US$ 43,871.87 ((US$ 17,289,408 + US$ 2,093,412) x 0.25 per cent).

101. The treasury is losing 101,604.33 Congolese francs, or US$ 33,868.10, in scheduled contributions, which are calculated at 0.48 Congolese francs per carat. The eight buyers working in Kisangani would have had to pay the treasury US$ 24,000 for the renewal of their visas. Losses in the diamond sector thus total US$ 879,763.33, broken down as follows:

- VAT: US$ 518,682.24

- Export duty: US$ 259,341.12

- Turnover tax: US$ 43,871.87

- Scheduled contributions: US$ 33,868.10

- Visa fees: US$ 24,000 for the mining sector.

102. Taking gold and diamonds together, total losses are on the order of US$ 1,503,356.20, or US$ 623,892.92 for gold and US$ 879,763.33 for diamonds.

103. In light of these facts, it must be noted that the lust for wealth of some powers outside Africa, which do not hesitate to make use of certain African States, notably Rwanda, Uganda and Burundi, is not a new phenomenon. The latter States are simply acting as subcontractors in the execution of an international plot aimed at crushing the desire of the Democratic Republic of the Congo for autonomy and seizing its wealth.

104. The massacres which have taken place near some of the country's major centres have been caused by the wealth contained in the soil there. The Mwenga territory, for example, which consists of six chiefdoms, is one of the richest in Central Africa. The Kivu Mining and Industrial Company (SOMINKI) is an amalgamation of Cobelmin in Shabunda, Koretrin, Kundumines, Miluba, Menrya and MGL and extends over the following chiefdoms: Kamituga, Lufusha, Luhundja and Tumgiza. SOMINKI was established for the purpose of the exploitation and chemical or metallurgical processing of tin, gold and associated ores. It is entirely owned by the Congolese State.

105. While international law advocates the permanent sovereignty of States over their natural resources, the Congolese State is the victim of violations not only of its territorial sovereignty, but also of its economic sovereignty.

106. By their actions, the aggressors are violating in particular the Congolese people's right to development, a right set out inter alia in the Declaration on the Right to Development adopted by the General Assembly on 4 December 1986 and in article 22 of the African Charter on Human and Peoples' Rights, which provides that all peoples shall have the right to their economic, social and cultural development. States also have the duty, individually or collectively, to ensure the exercise of the right to development.

107. Resolution 46 (III) of the United Nations Conference on Trade and Development (UNCTAD) characterized as a "flagrant violation" of the principles of the United Nations any political or economic measures or pressure brought to bear on the right of any country to freely dispose of its natural resources. General Assembly resolution 1514 (XV) of 14 December 1960, entitled "Declaration on the granting of independence to colonial countries and peoples", is a perfect illustration of this.

108. Article 1, paragraph 2 of the Charter of the United Nations stipulates that the purpose of the United Nations is "to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace".

109. Meanwhile, the African Charter on Human and Peoples' Rights of 28 June 1981, in article 21, paragraphs 1 and 5, provides that "all peoples shall freely dispose of their wealth and natural resources. This right shall be exercised in the exclusive interest of the people. In no case shall a people be deprived of it. States parties to the present Charter shall undertake to eliminate all forms of foreign economic exploitation particularly that practised by international monopolies so as to enable their peoples to fully benefit from the advantages derived from their national resources".

110. This principle of permanent sovereignty is fundamental and must be exercised in the interest of national development and the welfare of the population of the State concerned. For African States it constitutes one of the cornerstones of their rights. Indeed, they consider that a State is not sovereign if it cannot dispose fully and freely of its resources. If these resources are in foreign hands, the sovereignty of that State risks being entirely theoretical.

V. INTRODUCTION TO THE TABLE SUMMARIZING THE VIOLATIONS OF HUMAN RIGHTS, THE BASIC RULES OF INTERNATIONAL HUMANITARIAN LAW AND ENVIRONMENTAL PROTECTION STANDARDS IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO

111. The synoptic table appended to this document summarizes the very serious violations of the International Bill of Human Rights, the Geneva Conventions of 12 August 1949 and the additional Protocols thereto of 8 June 1977, the Charters of the United Nations and the Organization of African Unity (OAU), the African Charter on Human and Peoples' Rights and the relevant resolutions adopted by the organs of the United Nations, in particular General Assembly resolution 1803 (XVII) of 14 December 1962 on permanent sovereignty over natural resources.

112. The examples of the crimes perpetrated by the Rwandan-Ugandan-Burundian coalition are sufficient proof that the aggressor States are committing gross atrocities against peaceable Congolese in Orientale, Nord-Kivu, Maniema, Sud-Kivu and Kalemie provinces on a daily basis.

113. The massacre perpetrated during the night of 31 December 1998-1 January 1999 in Makobola, the massacre of 15 March 1999 in Kamituga and those in Ngweshe and Burini in Sud-Kivu have one common denominator: the seizure and plundering of the wealth contained in the soil and subsoil of these territories, which abound with precious substances (diamonds and gold).

114. The main feature of the synoptic table is the linking of each incident or misdeed committed with the article violated and its substance. All three generations of human rights flouted by the aggressors have been highlighted. Although the table is merely illustrative, it contains ample testimony by one of the survivors of Kasika and by human rights non-governmental organizations.

115. In the light of these repeated violations of the relevant provisions of international legal instruments, the Democratic Republic of the Congo, through the Ministry of Human Rights, is requesting all countries that are committed to peace and justice, as well as ICRC, to bring significant pressure to bear upon Rwanda, Uganda and Burundi with a view to ensuring not only the effective application of these instruments, which are the "common property of humanity", but also, and most importantly, the immediate withdrawal of these aggressors from the territory of an independent and sovereign State.

VI. OUTLOOK FOR THE FUTURE

116. There is no doubt whatsoever that the Democratic Republic of the Congo is the victim of armed aggression by its neighbours to the east, Rwanda, Uganda and Burundi.

117. After much equivocation, the Security Council finally roused itself from its lethargy by adopting resolution 1234 (1999) on 9 April 1999 which calls, inter alia, for the signing of a ceasefire agreement among the parties to the conflict, the Democratic Republic of the Congo and its allies on the one hand, and Rwanda, Uganda and Burundi on the other, and the orderly withdrawal of foreign forces, beginning with uninvited forces.

118. While the above-mentioned resolution is satisfactory in part, the Government of National Salvation, led by His Excellency M'zee Laurent-Désiré Kabila and supported by the entire Congolese people, would have preferred that it had clearly identified the aggressors and, if necessary, called for the application against them of Chapter VII of the Charter.[19]

119. It need not be said that the aggressors cannot be placed in the same category as the allies of the Democratic Republic of the Congo who entered Congolese territory at the request of a State that was defending itself against aggression. The Democratic Republic of the Congo and the allied States of Angola, Zimbabwe and Namibia are exercising collective self-defence, basing their actions on Chapter VIII of the Charter of the United Nations which authorizes the States of a region or subregion to enter into regional arrangements or to establish subregional bodies for the maintenance of international peace and security.[20]

120. At its fifty-fifth session, the United Nations Commission on Human Rights expressed its concern at all the violations of human rights and international humanitarian law in the territory of the Democratic Republic of the Congo. Accordingly, it urges that all the parties to the conflict work towards a rapid and peaceful settlement of the conflict, in particular by signing an immediate ceasefire agreement allowing the orderly withdrawal of all foreign forces and the re-establishment of the authority of the Government of the Democratic Republic of the Congo throughout its territory.

121. In view of the foregoing, and in accordance with articles 3 and 6 of the OAU Charter,[21] the Democratic Republic of the Congo questions the legal basis for the alliance among Rwanda, Uganda, Burundi and the so-called "rebels". The international community must understand that the Tutsi's game of playing the victim truly threatens to destabilize peace and security in the Great Lakes region and could become contagious, generating a spiral of violence that could involve all of Africa, given that the Democratic Republic of the Congo is surrounded by nine States which themselves have neighbours.

122. The Government of National Salvation recognizes the virtue of negotiation, which should take precedence over any other solution. Thus, the Democratic Republic of the Congo observes Chapter VI of the Charter of the United Nations concerning the peaceful settlement of disputes. Several diplomatic meetings in Durban, Victoria Falls, Mauritius, Libreville, Addis Ababa, Lusaka, Paris, Ouagadougou and more recently, the ceasefire agreement concluded at Syrte, Libya, on 19 April 1999 demonstrate that the head of the Democratic Republic of the Congo is acting in good faith to end this conflict, which is hindering the process of national reconstruction and the implementation of the poliomyelitis immunization campaign in the areas occupied by the aggressors. Moreover, Decree-Law No. 213, on the inception of a national debate, has been adopted with a view to furthering the process of democratization. To this end, the Government of National Salvation continues to demonstrate its commitment to rallying the nation's sons and daughters to the cause.

123. In order to develop, the Congolese people aspires to a deep and real peace. The Treaty establishing the Common Market for Eastern and Southern Africa (the COMESA Treaty) certainly recommends, in its article 6, that its member States, which include the Democratic Republic of the Congo, Rwanda, Uganda and Burundi, must adhere to the principles of non-aggression, maintenance of regional peace and stability through the promotion and strengthening good-neighbourliness, the peaceful settlement of disputes, active cooperation between neighbouring countries and the promotion of a peaceful environment as a prerequisite for their economic development.

124. Likewise, in view of the pillage it has suffered, which is destabilizing its economy and slowing its development, the Democratic Republic of the Congo is asking the international community to punish the perpetrators of the odious crimes committed in its territory.

125. By its silence, the international community is implicated in the destruction of our environment and of the rare species found there. It is common knowledge that the Virunga and Kahuzi-Biega Parks have been designated UNESCO World Heritage Sites. The Democratic Republic of the Congo therefore

/...

requests UNESCO to take the necessary measures to safeguard this common heritage.

126. During this period of war the Democratic Republic of the Congo has carefully observed all the 1949 Geneva Conventions as well as additional Protocol I of 1977, which stresses the importance to be attached to protection of the environment. In the context of the commemoration of the fiftieth anniversary of the Geneva Conventions, the Democratic Republic of the Congo, mindful of its international commitments, is considering the possibility of ratifying additional Protocol II of 1977, on the protection of victims of non-international armed conflicts.

127. Given that one of the essential missions of the United Nations is the maintenance of international peace and security, it is time for the United Nations and for international human rights organizations to play their respective roles in bringing every pressure to bear on the Governments of the aggressor countries in order to put an end to the massive and repeated violations of human rights in the occupied areas.

128. Bearing in mind the war of aggression imposed on it by Rwanda, Uganda and Burundi, the Congolese people has a right to wonder about the effectiveness and efficiency of the rules of international law. Since they know that they are not inclined to genocide and acknowledge their hospitality towards other people is legendary, Congolese citizens would like the international community to look into the fate of the victims of Rwandan-Ugandan-Burundian barbarity in the eastern part of the Democratic Republic of the Congo with as much sympathy and speed as it has shown in the former Yugoslavia, by virtue of the equal dignity of peoples. Why has a double standard been applied?

Notes

[1] See in particular articles 35 and 55 of the first protocol additional to the Geneva Conventions of 12 August 1949, which provide respectively: "... It is prohibited to employ methods or means of warfare which are intended, or may be expected, to cause widespread, long-term and severe damage to the natural environment." (art. 35) and "1. Care shall be taken in warfare to protect the natural environment against widespread, long-term and severe damage. This protection includes a prohibition of the use of methods or means of warfare which are intended or may be expected to cause such damage to the natural environment and thereby to prejudice the health or survival of the population. 2. Attacks against the natural environment by way of reprisals are prohibited."; "Activities prohibited in strict nature reserves under the provisions of paragraph 4 (a) (iii) of this article shall also be prohibited in national parks ..." (art. 55, on protection of the natural environment).

[2] Mohammed Bedjaoui, Droit International, Bilan et perspectives, vol. 2 (Paris, Pedone, 1991), p. 1085.

[3] Basic Facts about the United Nations (United Nations Publication, Sales No. E.98.I.20), p. 194.

[4] "The Parties shall not allow trade in specimens of species included in Appendices I, II and III except in accordance with the provisions of the present Convention (art. II, para. 4); "All trade in specimens of species included in Appendix I shall be in accordance with the provisions of this Article (art. III, Regulation ... (Regulation of trade in specimens of species included in Appendix I)).

[5] Mohammed Bedjaoui, op. cit. p. 1086.

[6] "The Parties shall not allow trade in specimens of species included in Appendices I, II and III except in accordance with the provisions of the present Convention (art. II, para. 4); "All trade in specimens of species included in Appendix I shall be in accordance with the provisions of this Article (art. III, Regulation ... (Regulation of trade in specimens of species included in Appendix I)).

[7] A complete list giving the names of those killed is annexed hereto. Vulnerable persons, according to international humanitarian law, means older persons, women and children, who are supposed to receive special treatment during hostilities.

[8] "It is prohibited to order that there shall be no survivors, to threaten an adversary therewith or to conduct hostilities on this basis" (art. 40).

[9] Human Rights Watch, vol. 11, No. 01 (A), February 1999.

[10] Société française pour le droit international, "Le Mans colloquium on responsibility in the international system", (Paris, Pedone), p. 127.

[11] Security Council resolution 1234 (1999). The same applies to the Council's call for the withdrawal of uninvited forces (para. 7).

[12] F. Bory, Genèse et Développement du droit international humanitaire, (Geneva, ICRC, 1982), p. 16.

[13] R. Romi, Droit et administration de l'environnement (Paris, Montchestien, 1994), p. 30.

[14] The Sudan is not one of the States waging aggression against the Democratic Republic of the Congo; those involved are Sudanese rebels used by the aggressors and their accomplices.

[15] "In any armed conflict, the right of the Parties to the conflict to choose methods or means of warfare is not unlimited" (art. 35, para. 1). According to an ICCN report, close to 1,000 hectares of forests at the foot of Mount Kahuzi have been burnt by napalm bombs used by the aggressors. However, "it is prohibited to use methods or means of warfare which are intended, or may be expected, to cause widespread, long-term and serious damage to the natural environment" (art. 35, para. 3).

[16] See General Assembly resolution 2625 (XXV) of 24 October 1970 and article 3 of the Charter of the Organization of African Unity.

/...

[17] Nguyen Quoc Dhin, Droit international public, 5th ed. (Paris, Librairie Générale des Droits et des Jurisprudences, 1994).

[18] See article 1, paragraph 2, of the International Covenant on Economic, Social and Cultural Rights: "All peoples may, for their own ends, freely dispose of their natural resources ... in no case may a people be deprived of its own means of subsistence".

[19] Chapter VII of the Charter of the United Nations sets out coercive and restrictive actions to be taken by the United Nations Security Council in respect of threats to the peace, breaches of the peace and acts of aggression.

[20] See Article 52 of the Charter of the United Nations, which stipulates: "1. Nothing in the present Charter precludes the existence of regional arrangements or agencies dealing with such matters relating to the maintenance of international peace and security, provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations."

[21] Article 3 of the OAU Charter spells out the principles that are supposed to guide member States in their mutual relations, in particular the principles of the sovereign equality of all member States, non-interference in the internal affairs of States, respect for the sovereignty and territorial integrity of each State and its inalienable right to independent existence. Article 6 of the Charter states that: "The Member States pledge themselves to observe scrupulously the principles enumerated in article III of the present Charter".

TABLE SUMMARIZING THE MASSIVE VIOLATIONS OF HUMAN RIGHTS, THE BASIC RULES OF INTERNATIONAL HUMANITARIAN LAW AND ENVIRONMENTAL PROTECTION STANDARDS COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO COVERING THE PERIOD FROM 6 NOVEMBER 1998 TO 15 APRIL 1999

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
ORIENTALE PROVINCE	
I. INSECURITY	
• On 16 November 1998, Ugandan troops conducted night manoeuvres in Kisangani and fired their weapons in the air, causing intense panic in the city and traumatizing young children.	Article 51(2) of Protocol I additional to the Geneva Conventions of 12 August 1949 [hereinafter Additional Protocol I] states: "Acts or threats of violence the primary purpose of which is to spread terror among the civilian population are prohibited."
• That same day, soldiers twice visited Saint Gabriel parish at Simi Simi. Material losses were estimated at approximately $2,000.	Article 53 of Additional Protocol I, on the protection of cultural objects and of places of worship.
• The Mungano (commune of Kabondo) and Anuarite (commune of Mangobo) health centres were broken into during the night and medicines, equipment and money were stolen. The Simama centre for the physically handicapped was visited five times by thieves dressed in military uniforms (soldiers of the Front Patriotique Rwandais (FPR)).	Article 12 of Additional Protocol I states: "Medical units shall be respected and protected at all times ..."; article 18 of the Fourth Geneva Convention states: "Civilian hospitals organized to give care to the wounded and sick, the infirm and maternity cases, may in no circumstances be the object of attack ..."; article 33 of the Fourth Geneva Convention states: "Pillage is prohibited."

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
II. KILLINGS • During the first two months of this year, 45 civilians were killed without cause; of these, only 22 have been identified by their surnames and place of origin. The others remain unidentified, since most of them were travellers or vendors. Naturally, this was also true of the 8 bodies found along the Nshesha river, near Walungu. The killings were all carried out in different places and under different circumstances. For example, there was the isolated case of a woman who was beaten to death at Butuza and the killing at Burhale of six vendors from Ikoma.	Article 3 of the Universal Declaration of Human Rights states: "Everyone has the right to life ..."; article 6 of the International Covenant on Civil and Political Rights states: "Every human being has the inherent right to life ..."
III. ABDUCTIONS • According to information provided by the Catholic agency MISNA, a number of civilians were abducted from Burhale, Mushinga, Lubona and Mulangba during the months of January and February. These persons have disappeared without a trace. The civilians were captured mainly during night-time raids by armed factions of the Rassemblement congolais pour la démocratie (RCD).	Article 9 of the Universal Declaration of Human Rights; article 9 of the International Covenant on Civil and Political Rights; article 51 of Additional Protocol I states: "The civilian population and individual civilians shall enjoy general protection against dangers arising from military operations."
SUD-KIVU • From 1 to 3 January 1999, fighting took place on the road between Bukavu and Mwenga, in the localities of Mushinga and Kanioka and the chieftaincy town of Ngweshe in the territory of Walungu. The aggressor troops destroyed property and stole cows, goats, hens, rabbits and household items. They went so far as to bury the sheet metal walls of huts and the glass windows of dwellings. A total of 12 peasants were killed in the Walungu area during the fighting.	Article 40 of Additional Protocol I, which prohibits the denial of "quarter"; article 52 of Additional Protocol I, on the general protection of civilian objects; article 54 (1) and (2), relative to the protection of objects indispensable to the survival of the civilian population, states: "Starvation of civilians as a method of warfare is prohibited."

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
• Under the occupation of the coalition forces of Rwanda, Uganda and Burundi, their respective armies are committing massive human rights violations every day.	Wilful violation of the Geneva Conventions of 12 August 1949 on international humanitarian law and the 1977 Protocols additional thereto as well as the International Bill of Human Rights.
Here follow the names of some of the victims of RCD atrocities during the period from January to February 1999: • Mr. Rubango, Chibeke village in the Burhale/Walungu locality; • Mr. Chishugi, village of Lubona/ Walungu; • Mr. Mulumeoderhwa, village of Chibonda, Burhale/Walungu; • Mr. Lwaboshi, village of Burhale - centre; • Mr. Perroquet, village of Burhale - centre; • Mr. Bakunzi, an old shepherd from the village of Lubona/Walungu; • An employee (aide/chauffeur) of Mr. Tembo, in the village of Butuza/ Walungu; • A young vendor not otherwise identified, in Butuza - centre; • Mr. Bisimwa, in the village of Bututza; • Six persons (vendors) from Ikoma who were on their way to Urega were killed at Burhale;	Article 3 of the Universal Declaration of Human Rights states: "Everyone has the right to life, liberty and security of person"; article 6 (1) of the International Covenant on Civil and Political Rights states: "Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life"; article 6 of the African Charter on Human and Peoples' Rights states: "Every individual shall have the right to liberty and to the security of his person ..."

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
• Three persons travelling from Bukavu were beaten and killed at Mashango;	
• A woman from the Mashango/Burhale area who was travelling from Bukavu was beaten and killed at Butuza by RCD soldiers.	
I. PILLAGE AND DESTRUCTION OF PROPERTY	
• Occupation of all the desirable houses in Burhale by RCD soldiers and "afandes" (commanders) and destruction of 214 dwellings, including property on land owned by Mr. Zakaria, Mr. Ntadesa, Mr. Lwanwa and Mr. Chamunani and stores in Mashanga and Burhale;	Article 53 of the Fourth Geneva Convention states: "Any destruction by the Occupying Power of real or personal property belonging individually or collectively to private persons ... is prohibited ..."
• Twenty-three houses burnt at Bwahungu; • Systematic plunder of cattle at Mwegerera, Lubona (goats, pigs, rabbits, hens; 45 cows at Lubona, 18 cows at Burhale, etc.);	Article 54 (2) of Additional Protocol I, on the protection of objects indispensable to the survival of the civilian population, states: "It is prohibited to attack, destroy, remove or render useless objects indispensable to the survival of the civilian population ..."
• Practices such as demanding ransom from the population at checkpoints are common: payment of up to US$ 400 is demanded from persons, with the amount depending on the person's appearance.	Article 17 of the Universal Declaration of Human Rights states: "No one shall be arbitrarily deprived of his property."
• In addition, the parishes of Burhale and Mugogo were plundered and completely destroyed.	Article 53 of Additional Protocol I, on the protection of cultural objects and places of worship; article 53 of the Fourth Geneva Convention, on the prohibition of destruction.

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
• An operation to cleanse the villages in the Mushiga area was launched on Saturday, 27 February. RCD soldiers began this operation at 1 a.m., burning houses and killing the civilian population. The final toll of these massacres is not yet known in Bukavu.	Article 40 of Additional Protocol I, on quarter, states: "It is prohibited to order that there shall be no survivors, to threaten an adversary therewith or to conduct hostilities on this basis."
• During the week of 22-27 February, the few houses between Bitale and Kampegete at Buryakiri which had escaped the carnage were set on fire by RCD soldiers, a column of whom arrived directly from Kisangani to join another column coming up from Bukavu. There are reports that some 50 peasants were killed.	Article 53 of the Fourth Geneva Convention states: "Any destruction by the Occupying Power of real or personal property ... is prohibited ..."; article 52 of Additional Protocol I, on general protection of civilian objects; article 51 (1) of Additional Protocol I states: "The civil population and individual civilians shall enjoy general protection against dangers arising from military operations."
• At Kamituga, the civilian population fled before the arrival of RCD soldiers. All the inhabitants hid in the forest. Only 20 persons and the parish priest remained in the town of more than 30,000 inhabitants.	Article 51 (2) of Additional Protocol I states: "Acts or threats of violence the primary purpose of which is to spread terror among the civil population are prohibited."
Massacre at Kamituga on 15 March	
• Tutsi leaders of the rebel movement (RCD) have again carried out killings in Sud-Kivu, according to the Catholic agency MISNA. Soldiers from the Rwandan-Burundian-Ugandan coalition attacked Kamituga, a locality situated nearly 100 km from Bukavu.	Article 57 of Additional Protocol I, on precautions in attack, states: "In the conduct of military operations, constant care shall be taken to spare the civilian population, civilians and civilian objects."
• The attack was carried out in reprisal for the ambushes set by the Mai Mai for the RCD forces who were making their way to Kamituga.	Article 51 (6) of Additional Protocol I states: "Attacks against the civilian population or civilians by way of reprisals are prohibited."

/...

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
• This locality is rich in gold mines, which are exploited by the rebels and their allies using non-mechanized methods.	United Nations General Assembly resolution 1803 (XVII) of 14 December 1962, on permanent sovereignty over natural resources.
• It should be noted that, less than a month after the visit by Roberto Garreton, the United Nations special rapporteur on the situation of human rights in the Democratic Republic of the Congo, to the territory controlled by the aggressors, the Tutsi have now demonstrated to the world, if that were still necessary, that they are the same bloodthirsty people they always have been, i.e. still ready to massacre defenceless civilians.	Systematic and shocking violation of the Convention on the Prevention and Punishment of the Crime of Genocide of 9 December 1948. Note: the massacre at Kamituga constitutes an act of genocide within the meaning of article 2 (2) of the Statute of the International Tribunal for Rwanda.
II. RAPE	
• Most of these acts of rape are committed by soldiers in the Rwandan Patriotic Army currently operating in Sud-Kivu. Note: Women who are victims of rape do not usually publicly denounce this criminal act. Consequently, there has been an increase in the dark figure of crime. In other words, the criminal, inhuman or degrading acts effectively committed by the rebels and our aggressors but not denounced or officially reported, constitute what criminologists describe in technical terms as the "dark figure of crime".	Article 76 (1) of additional Protocol I relative to the protection of women states: "Women shall be the object of special respect and shall be protected in particular against rape ..."; article 5 of the Universal Declaration of Human Rights; article 7 of the International Covenant on Civil and Political Rights.

/...

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
NORD-KIVU Goma I. ARBITRARY ARRESTS AND DETENTIONS	
• On 7 November 1998, in the Majengo district of the commune of Karisimbi, Eric Hanyururifira and his sister Mutoninasi, Hutus from Gisenyi prefecture, were arrested by Congolese RDC soldiers and detained under wretched conditions in the police lock-up in the commune of Karisimbi from 7 to 11 November 1998. They were released following the intervention of ICRC, a non-governmental organization, and are now being sheltered by the association ANAMAD.	Article 7 of the International Covenant on Civil and Political Rights states: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment ..."; article 27 (2) of the Fourth Geneva Convention. Article 9 (1) of the International Covenant on Civil and Political Rights states: "No one shall be subjected to arbitrary arrest or detention."
• On 8 November 1998, at about 7 p.m., Mr. Damien Balingene, pastor of the Church of the Nazarene, was shot in the chest by RCD soldiers at Kibumba, in Nyiragongo.	Article 6 of the African Charter on Human and Peoples' Rights states: "Every individual shall have the right to liberty and to security of his person ..."
• On 20 November 1998, RCD soldiers arrested 14 boys from the Mabanga district in the commune of Karisimbi without being charged. Those arrested included Papy, Kabe, Mutabesha, Lwaboshi and Désiré.	Idem Note: It is distressing to note that our aggressors are trivializing that which is of the greatest value to each human being: life. Constitutional law places freedom in all its forms at the top of the hierarchy of values held by a State. In addition to the fact that they are driven out of the Democratic Republic of the Congo on the grounds of aggression, they are also required to humanize the war by showing greater respect for the provisions of international humanitarian law.

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
II. ATTACKS ON PHYSICAL INTEGRITY	
• At approximately 7 p.m. on 9 November 1998, Mr. Damien Balingene, pastor of the Church of the Nazarene, was shot in the chest by RCD soldiers at Kibumba, in Nyiragongo.	Article 3 of the Universal Declaration of Human Rights, article 6 of the International Covenant on Civil and Political Rights; article 32 (2) of the Fourth Geneva Convention; article 51 (2) of Additional Protocol I; article 4 of the African Charter of Human and Peoples' Rights states: "Every human being shall be entitled to respect for his life and the integrity of his person."
• At about 2 p.m. on 10 November 1998, Mr. Hubert Barata, an ethnic Hutu from Kibumba and a local Roman Catholic catechist, was beaten on the head and left half-dead by RCD soldiers stationed at the Kibumba quarry in Nyirangongo. He is currently hospitalized in the Goma Hospital.	Article 6 (1) of the International Covenant on Civil and Political Rights; article 7 of the International Covenant on Civil and Political Rights states: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment ..."; article 35 of Additional Protocol I states: "It is prohibited to employ weapons, projectiles and material and methods of warfare of a nature to cause superfluous injury ..."
III. THEFT OF PROPERTY FROM THE POPULATION	
• On 8 November 1998, Mr. Sebakungu, a vendor of beans on the Goma to Masisi road, was visited by RCD soldiers, including Muhindo Kambale, Jean-Marie Muguiko and Musanganyi Kasiwa, who robbed him.	Article 33 of the Fourth Geneva Convention states: "Pillage is prohibited"; article 52 of Additional Protocol I, on general protection of civilian objects.

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
• On 28 November, Ms. Déodatta Kwabo, 24 years of age and residing in Avenue Lowa in the Mabanga district, was assaulted by RCD soldiers, who robbed her of her watch and gold chain.	Article 33 of the Fourth Geneva Convention states: "Reprisals against protected persons and their property are prohibited"; article 17 of the Universal Declaration of Human Rights states: "No one shall be arbitrarily deprived of his property."
IV. TORTURE AND INHUMAN OR DEGRADING TREATMENT	
• At approximately 7 p.m. on 9 November 1998, Mr. Clarigufi Baziyaka, a teacher at the Rugari Institute, was tortured at the entrance to the Katingo military camp in the commune of Karisimbi by RCD soldiers stationed at the camp. He is currently hospitalized in the Goma General Hospital.	Article 147 of the Fourth Geneva Convention states: "Grave breaches to which the preceding article relates shall be those involving any of the following acts, if committed against persons or property protected by the present Convention: wilful killing, torture or inhuman treatment ..."; article 31 of the Fourth Geneva Convention; article 5 of the Universal Declaration of Human Rights; and article 7 of the International Covenant on Civil and Political Rights.
• At approximately 11 a.m. on 20 November 1998, Mr. Mbokani Luendo, aged 58 years, of the Hunde ethnic group and residing in the Mabanga district, was tortured and left half-dead. He was later detained in the lock-up of the commune of Karisimbi and tortured because his identification card was torn and he did not have his registration token.	Article 33 of the Fourth Geneva Convention; article 5 of the Universal Declaration of Human Rights; article 7 of the International Covenant on Civil and Political Rights. Article 5 of the African Charter on Human and Peoples' Rights states: "Every individual shall have the right to the respect of the dignity inherent in a human being ..."

/...

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
• On 9 November 1998, Mr. Philippe Barata, aged 45 years and the father of eight children, received four machete blows to his head and was admitted to the Goma General Hospital. Mr. Barata is a catechist at the Roman Catholic chapel in Kibumba. He is currently in the Goma General Hospital.	Articles 147 of the Fourth Geneva Convention and 32 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War; article 5 of the Universal Declaration of Human Rights; and article 7 of the International Covenant on Civil and Political Rights.
• Mr. Cyprien Bikanu, a physiotherapist at the Shirika la Umoja Hospital Centre in Goma, was shot twice in his right thigh on the Sinyers traffic circle opposite the Lycée Chem after being severely tortured and subjected to inhuman and degrading treatment.	Articles 32 and 147 of the Fourth Geneva Convention; article 15 (1) of Additional Protocol I states: "Civilian medical personnel shall be respected and protected."
V. KILLINGS	
• On 11 November, Mr. Tony Buyingoma, a merchant aged 29 years and the father of three children, was killed by RCD soldiers stationed at Kubuya. His wife, Vuimana, and a visitor named Nzinzeye, the son of Bibare from the neighbouring village of Kashavu, were also killed.	Article 3 of the Universal Declaration of Human Rights; article 6 (1) of the International Covenant on Civil and Political Rights; article 32 of the Fourth Geneva Convention states: "The High Contracting Parties specifically agree that each of them is prohibited from taking any measure of such a character as to cause the physical suffering or extermination of protected persons in their hands ..."
VI. ABDUCTIONS	
• At 5 p.m. on 29 November 1998, Kambale Nzala, a father of eight residing in the Katayi district, was abducted from a bar in Majenga, Goma, in the commune of Karisimbi by RCD soldiers and taken to an unknown destination.	Article 9 of the Universal Declaration of Human Rights states: "No one shall be subjected to arbitrary arrest, detention or exile ..."

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
VII. SITUATION OF DETENTION CENTRES	
In the city of Goma	
• The number of lock-ups in Goma increased after the city was captured by RCD. These lock-ups fail to meet even the most elementary standards of hygiene and sanitation. Men and women are held together in shockingly overcrowded conditions and are ill-treated by RCD soldiers.	Article 5 of the Universal Declaration of Human Rights; article 7 of the International Covenant on Civil and Political Rights.
At the airport	
Some 50 persons are being held in a tightly shut container: • The Bureau II death lock-up (near to the Office of the Chief Prosecutor); • The lock-up at the police sub-unit (near to the MVANO store); • The lock-up at the provincial police inspectorate; • The camp Israël lock-up in camp Katindo;	Article 7 of the International Covenant on Civil and Political Rights states: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment ..."; article 85 of the Fourth Geneva Convention, on accommodation and hygiene.
• The Kinyogate lock-up, which is approximately 10 km from the city of Goma; • The Rugerero cross-border lock-up in the Gisenyi prefecture, Rwanda, to which Hutus and persons suspected of being Maï Maï or former soldiers are transferred.	The first and second paragraphs of article 27 of the Fourth Geneva Convention, on the status and treatment of protected persons in occupied territories.

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
In the territory of Kalehe	
• At about 2 a.m. on 13 November 1998, 24 persons (men, women and children) were brutally massacred by Tutsi RCD soldiers stationed at Kavumu/Nyamungungu. The first operation took place at Bwagamana, where 18 persons were executed:	Articles 27 and 32 of the Fourth Geneva Convention; article 3 of the Universal Declaration of Human Rights; article 6 (1) of the International Covenant on Civil and Political Rights states: "Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life."
1. Kunitabare, aged 32 years, Hutu;	
2. Twarigiramungo, aged 33 years, Hutu;	
3. Kalera family, head of family aged 55 years, Hutu;	
4. Wife of Rinyuze, aged 45 years, Hutu;	
5. Verena, aged 65 years, Hutu;	Article 4 of the African Charter of Human and Peoples' Rights states: "Every human being shall be entitled to respect for his life and the integrity of his person. No one may be arbitrarily deprived of this right."
6. Mukamezerera, aged 21 years, Hutu;	
7. Nsengiyumva, aged 15 years, Hutu;	
8. Kaguraneza, aged 15 years, Hutu;	
9. Dusabe and three children, Hutu;	
10. Ngendahimana and five children, Hutu.	
• The massacres at Burama were carried out under the orders of captain Gafishi and lieutenant Ahmed Mugabe, both Tutsis.	Idem

/...

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
• On 10 November 1998, a number of vehicles heading towards the market in Karuba were ambushed by armed groups of Tutsis. Many merchants from Goma and especially from Sake were killed in the attack. The attackers stole money and goods and also damaged some vehicles. Among the victims were: • Nyaba Deux Ndalinyinchi, married, aged 34 years, residing in Sake. All of his money was stolen;	Article 17 of the Universal Declaration of Human Rights; the second and third paragraphs of article 33 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War; article 51 of Additional Protocol I; article 52 (1) of Additional Protocol I, on the protection of civilian objects, states: "Civilian objects shall not be the object of attack or of reprisals. Civilian objects are objects which are not military objectives as defined in paragraph 2."
• Mr. Kwakwahe, married, residing in Sake; • Mrs. Sanata, married to Mr. Romain. All her money was taken; • Miss Léonie, daughter of Karufandi and a resident of Sake, also had her money taken from her; • The wife of Bipua from the town of Sake; • The mother of Mr. Kaleke, a resident of Sake; • Mutshinga Wa Babi was robbed of all his money ($200 with which he had planned to purchase beans); • Mr. Ndode was beaten and his money stolen;	Article 53 of the Fourth Geneva Convention states: "Any destruction by the Occupying Power of real or personal property ... is prohibited ..."

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
• Maman Imani was tortured.	
Note: All of these persons belong to the Hunde ethnic group. The incident took place at 9 a.m.	Article 52 (2) of Additional Protocol I states: "Attacks shall be limited strictly to military objectives."
Nord-Kivu (Rutshuru)	
• At about 10.30 a.m. on 24 February 1999, RCD soldiers attacked a convoy of 17 vehicles which was transporting civilians from Goma along the Goma-Butembo road. The incident took place in the Virunga National Park at the place on the road known as "Mayi Ya Moto" or Katana.	Idem
• Seven vehicles transporting merchants from the area escorted for security reasons by nine soldiers were ambushed by Tutsi soldiers;	Article 57 (1) of Additional Protocol I on precautions in attack, states: "In the conduct of military operations, constant care shall be taken to spare the civilian population, civilians and civilian objects."
• Six vehicles were burnt;	
• The attackers pillaged all the vehicles and took away all the travellers' belongings;	Article 3 of the Universal Declaration of Human Rights states: "Everyone has the right to life, liberty and security of person."
• Several persons lost their lives in this operation. Estimates of the number vary between 10 and 40 deaths, including Mr. Kiza, Ms. Supie, Ms. Nasenge, Kambale Ise Mimbi, and Stanislas, who was burnt to death with his two children.	

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
Sud-Kivu Operation "Scorched Earth" in Bushi and Urega	Article 77 of Additional Protocol I on the protection of children states: "Children shall be the object of special respect ..."; article 35 (2) of Additional Protocol I states: "It is prohibited to employ weapons, projectiles and material and methods of warfare of a nature to cause superfluous injury ..."
• On 15 February, the population witnessed the arrival of several truckloads of soldiers with guns and ammunition heading towards Bunyakiri and towards Busha Mwenga Kamituga in particular. The force had come from Rwanda to launch the military operation "Scorched Earth". The town of Ngweshe in Bushi was completely destroyed.	Article 53 of the Fourth Geneva Convention states: "Any destruction by the Occupying Power ... is prohibited ..." Article 40 of Additional Protocol I, on the denial of quarter, and article 54 of Additional Protocol I, on the protection of objects indispensable to the survival of the civilian population; article 3 of the Universal Declaration of Human Rights.
• Villages were attacked with heavy weapons; houses were burnt; people were brutally killed, livestock was stolen and property was looted.	Article 57 of Additional Protocol I, on precautions in attack.
• On 16 February, the villages of Mubumbano, Lubona and Mushinga were subjected to murderous attacks.	The second paragraph of article 33 of the Fourth Geneva Convention states: "Pillage is prohibited"; the third paragraph of the same article states: "Reprisals against protected persons and their property are prohibited."
• On 18 February, the same troops pillaged and burnt the other villages along the Bwahungu-Tubimbi road.	
• The same scenario was repeated at Urega, in Mwenga township.	

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
• The aim of the troops was to regain control of the rich gold-mining regions of Kamituga and Lugushwa. • On 27 February Kitutu also fell. • The purpose of the entire operation was simply to regain control over the Kamituga and Lugushwa gold mines by inflicting a serious blow on the Congolese Maï Maï combatants and consolidating Tutsi domination in Sud-Kivu. Note: The method employed in "Operation Scorched Earth" was to terrorize and disperse the civilian population by frequent brutal reprisals and violence of all kinds.	Article 51 (2), of Additional Protocol I states: "The civilian population as such, as well as individual civilians, shall not be the object of attack. Acts or threats of violence the primary purpose of which is to spread terror among the civilian population are prohibited."
KIVU	
• Mr. Fernandez Murhoda Muhigirwa, civilian monitor for Sud-Kivu province, announced that a total of over 5,000 civilians had been killed in the massacres perpetrated by the RCD and MLC rebels.	Article 40 of Additional Protocol I states: "It is prohibited to order that there shall be no survivors ..."; article 51 (4) of Additional Protocol I, on protection of the civilian population, states: "Indiscriminate attacks are prohibited."
The Makobola massacre	
• The massacres perpetrated by Tutsis in Makobola in the presence of Mr. Bizimana Karaha (a leading official of the political branch of RCD) in Sud-Kivu during the night of 31 December 1998-1 January 1999, took a toll of 633 dead, including women, children and old men.	Article 51 of Additional Protocol I and article 33 of the Fourth Geneva Convention.

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
• Taking advantage of the desperate scarcity of basic provisions in Kindu, chief town of Maniema province, Rwandan Tutsis recently distributed poisoned salt to the destitute population of Sud-Kivu with deadly intent. Many deaths were reported, yet the international community has not condemned this act aimed at exterminating an entire people. Note: Article 2, paragraph 2, of the Statute of the International Tribunal for Rwanda applies analogously to the Makobola massacre. The article defines as genocide the following acts, committed with intent to destroy, in whole or in part, a national, ethnic, racial or religious group: killing members of the group or causing serious bodily or mental harm to members of the group.	Article 32 of the Fourth Geneva Convention; article 35 (1) of Additional Protocol I states: "In any armed conflict, the right of the Parties to the conflict to choose methods or means of warfare is not unlimited"; article 33 of the Fourth Geneva Convention.
• Long known as robbers and pillagers, the Tutsis of Rwanda, Uganda and Burundi sacked four cassiterite and other ore depots belonging to COLTAN in the mining town of Kalima, some 150 km from Kindu.	Article 53 of the Fourth Geneva Convention states: "Any destruction by the Occupying Power of real or personal property belonging individually or collectively to private persons, or to the State, ... is prohibited ..."
• Convinced that they will soon be defeated militarily, Rwandan and Ugandan Tutsis have chartered planes and are flying out looted goods to their home countries twice daily.	Article 3 of the Convention on International Civil Aviation; article 4 of the Convention states: "Each contracting State agrees not to use civil aviation for any purpose inconsistent with the aims of this Convention."
• In the community of Itombwe in the territory of Mwenga area, the "rebels" continue to massacre defenceless civilians. Mr. Kayungilo, the Kalingi town chief, and Mr. Lubanza, Magunza town chief, were murdered on 5 January 1999.	Article 51 of Additional Protocol I, on protection of the civilian population, states: "Indiscriminate attacks are prohibited"; article 3 of the Universal Declaration of Human Rights.

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
• Paul Kagame, in pursuit of his evil intent to massacre Hutus for the sole purpose of establishing the Hima Tutsi empire, fears that his troops, composed largely of Tutsis, will be reduced in number. He has therefore placed Hutus and former members of the Zairian armed forces (prisoners accused of genocide whom he has taken out of prison) on the eastern front as a human shield.	Article 33 of the Fourth Geneva Convention; article 51 of Additional Protocol I and article 28 of the Fourth Geneva Convention; article 41 (2)(a) of Additional Protocol I, on safeguard of an enemy hors de combat states: "A person is hors de combat if ... he is in the power of an adverse Party". Article 2 of the African Charter on Human and Peoples' Rights states: "Every individual shall be entitled to the enjoyment of the rights and freedoms recognized and guaranteed in the present Charter without distinction of any kind ..."
• According to testimony by the former driver of UNHCR vehicle No. IT 0795, assigned to Mr. Marc Kazindu, non-governmental organization coordinator for Sud-Kivu and older brother of Bizimana Karahamuheto (an RCD leader), several massacres were committed in the eastern part of the country. Under cover of the UNHCR emblem, Mr. Kazindu conducts operations in Kahuzi-Biega National Park, where he registers Hutu refugees, who believe that they are dealing with a humanitarian organization. He then sends a truck to pick them up. Since his Land Cruiser is too small to carry all of them, the refugees get in the truck without qualms, believing it to be a UNHCR vehicle. The false UNHCR truck takes them to the airport, where they are forced to enter a container until a plane can come for them. They are then left shut up inside the container for three days, at the end of which the bodies are removed and carried off by a Stabac truck.	Article 38 (2), of Additional Protocol I: "It is prohibited to make use of the distinctive emblem of the United Nations, except as authorized by that Organization"; article 37 of Additional Protocol I, on prohibition of perfidy, states: "Acts inviting the confidence of an adversary to lead him to believe that he is entitled to, or is obliged to accord, protection under the rules of international law applicable in armed conflict, with intent to betray that confidence, shall constitute perfidy. The following acts are examples of perfidy: ... The feigning of protected status by the use of signs, emblems or uniforms of the United Nations ..."

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
• Caterpillar tractors had already been brought close to the airport to dig mass graves. During these gruesome genocide operations directed against Hutus, two trucks made three trips to Buniakiri, one truck went twice to Kahuzi-Biega and trips were also made to Civanga, Katana and Lwiro. UNHCR has been keeping refugees who are in poor condition at the hospital in Lwiro as a transit camp.	Article 130 (2) of the Fourth Geneva Convention; article 38 (2) of Additional Protocol I: "It is prohibited to make use of the distinctive emblem of the United Nations, except as authorized by that Organization."
• Mr. Kazindu and his team have been taking the refugees away by force without the consent of health-care personnel in the hours between midnight and 3 a.m. The driver, in a poignant statement, testified: "We would even go into the hospitals, disconnect Hutu patients from their intravenous drips and take them away to kill them. We went to the hospital at Lwiro, where we took 160 Hutu patients and put them in the empty containers at Kadutu airport".	Article 18 of the Fourth Geneva Convention states: "Civilian hospitals organized to give care to the wounded and sick, the infirm and maternity cases, may in no circumstances be the object of attack, but shall at all times be respected and protected by the Parties to the conflict."
"I clearly recall that there were five mass graves: two were near Kadutu airport and three more in Kahuzi-Biega National Park. I know that the remains were removed from one of the mass graves near Kadutu airport in Bukaku at the request of Bizimana Karahamuheto. About that time we had learned that an investigative team was going to be sent to the eastern part of the country, so Bizimana Karahamuheto had asked his brother to get rid of the most obvious mass graves. The operation was made easier by the fact that the airport was controlled by Rwandan soldiers."	The first two paragraphs of article 130 of the Fourth Geneva Convention stipulate: "The detaining authorities shall ensure that internees who die while interned are honourably buried, if possible according to the rites of the religion to which they belonged, and that their graves are respected, properly maintained, and marked in such a way that they can always be recognized. Deceased internees shall be buried in individual graves ..."

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
• Tutsi soldiers, wearing gloves to protect them from contamination provided by a Tutsi woman who was married to the Belgian director of the Belgian school at Bukavu and worked in the military hospital, removed the remains, piled them onto a Sotrabak truck and took them to Rwanda.	**Article 130 of the Fourth Geneva Convention: "The detaining authorities shall ensure that internees who die while interned are honourably buried ..."**
• "With Mr. Marc Kazindu, we went to the Office of the President in Rwanda, where we were given cartons of a product containing poison which was to be dumped into the water-treatment facility in order to wipe out the Congolese civilian and military populations. To accomplish this the Rwandans had arranged to appoint one of their officials to the water authority". Fortunately, led by some sixth sense to Kisangani, [President] Kabila gave the order to restore all former directors who had been dismissed by the Rwandan Tutsis to their posts. This decision made it impossible to carry out the plan to poison the water.	**Article 54 (2), of Additional Protocol I states: "It is prohibited to attack, destroy, remove or render useless objects indispensable to the survival of the civilian population, such as ... drinking water installations and ... irrigation works ..."**

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
• The United States Department of State, through its spokesman, Mr. Rubin, denounced the plundering of the wealth of the Democratic Republic of the Congo by Rwanda and Uganda, in particular the timber, gold and diamonds in the eastern part of the country. Companies such as BUSUCO, with gold-mining operations in Mongbalu in Orientale province, Littlerock Mining Ltd., Tenfield Holdings Ltd., Collier Ventures Ltd., Sapora Mining Ltd., Intermarket Ltd., Barrick Gold Corporation, Banro Russell Resources, Mahila, Lambo 1 and Kampemba, and Jardin Lambo 2 Lufunga.	Article 33 (2), of the Fourth Geneva Convention states: "Pillage is prohibited"; article 1 (2) of the International Covenant on Economic, Social and Cultural Rights states: "All peoples may, for their own ends, freely dispose of their natural wealth and resources ... In no case may a people be deprived of its own means of subsistence"; article 21 (1) and (2), of the African Charter on Human and Peoples' Rights stipulates: "All peoples shall freely dispose of their wealth and natural resources. This right shall be exercised in the exclusive interest of the people. In no case shall a people be deprived of it. In case of spoliation the dispossessed people shall have the right to the lawful recovery of its property as well as to an adequate compensation."
Kalemie	
• What follows is reported by a survivor from the region of Nord-Katanga:	Article 51 (6) of Additional Protocol I: "Attacks against the civilian population or civilians by way of reprisals are prohibited."
• Early on 26 August 1998, at around 8 a.m. Rwandan, Burundian and Ugandan troops, preceded by former soldiers of the Zairian armed forces known as the "Ocean" troops, invaded the town of Kalemie. Terrible fighting with heavy weapons ensued around the general hospital and the Kindu quarter.	Article 57 of Additional Protocol I; article 85 of Additional Protocol I states: "... the following acts shall be regarded as grave breaches of this Protocol ... (a) Making the civilian population or individual civilians the object of attack; (b) Launching an indiscriminate attack affecting the civilian population or civilian objects ..."

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
• Later in the day the Congolese armed forces regained control of the town with the support of the local populations.	
• On 31 August, lacking provisions, the aggressors retook the town and visited atrocities and massacres on the civilian population over the course of four days.	Article 51 of the Fourth Geneva Convention states: "In no case shall requisition of labour lead to a mobilization of workers in an organization of a military or semi-military character."
• The survivor, a SNEL technician in Kalemie, was forced, along with others, to restore the electric power interrupted by the fighting.	Article 33 of the Fourth Geneva Convention: "... likewise all measures of intimidation or of terrorism are prohibited."
• As they did so, they were horrified by the gruesome sight that met their eyes. In the Kaite quarter, the ground was strewn with the bodies of those killed by bullets or knives. Huts and houses were on fire.	Article 51 (6) of Additional Protocol I.
• Everywhere they went, of all the inhabitants of the quarter, only Papa Chenge Berquin, a farmer, had miraculously been spared. The bodies had begun to decompose.	Article 51 (4) of Additional Protocol I: "Indiscriminate attacks are prohibited."
• The Roman Catholic church near port Lubuye had suffered a rocket attack. A number of people who had taken refuge there were slaughtered.	Article 53 of Additional Protocol I, on the protection of cultural objects and of places of worship, states: "... it is prohibited: (a) To commit any acts of hostility directed against the historic monuments, works of art or places of worship which constitute the cultural or spiritual heritage of peoples ..."
• Camp Fietising, overflowing with bodies, is today the attackers' headquarters.	
• In Sympho, Pastor Aotchi of the CADC Protestant church was killed.	
• In the Kapulo quarter, young men accused of having aided the rebel forces in their counter-offensive were massacred at the crossroads and along the streets.	

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
Summary arrests and arbitrary detentions in Kalemie	
• After the town was taken, Mr. Lunda Bululu stayed on for a month to hold a meeting. When he could not convince the crowd, he publicly threatened severe measures against the population. A dreadful campaign of reprisals ensued.	Article 1 of the International Covenant on Civil and Political Rights; article 18 of the Covenant states: "Everyone shall have the right to freedom of thought, conscience and religion. This right shall include ... freedom, either individually or in community with others ..., to manifest his ... belief"; article 33 (3) of the Fourth Geneva Convention.
• A system of executions was devised whereby the person to be executed was forced to dig his own grave. This was the case with the manager of the brewery, Mr. Buta, who dug his own grave and was buried in it.	Article 33 (3) of the Fourth Geneva Convention; Article 51 (2) of Additional Protocol I: "Acts of threats of violence the primary purpose of which is to spread terror among the civilian population are prohibited."
• After the general hospital was destroyed, Kalemie was without health care.	Article 12 (1) of Additional Protocol I: "Medical units shall be respected and protected at all times and shall not be the object of attack."
• Deportations continue.	Article 49 (1) of the Fourth Geneva Convention: "Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the Occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive."

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
Rwandan-Ugandan-Burundian operations to find the interahamwe who had killed Western tourists are turned against the civilian population of Nord-Kivu	
• Two weeks after Western tourists were murdered in Bwindi National Park in Uganda, a large-scale operation was mounted by Rwandan and Ugandan troops, ostensibly to search for the interahamwe who were behind the killings. • The search operations were conducted primarily in the villages of Loashi, Ngesha, Busoro, Lushebere, Nyabiondo, Ishasha, Rutshuru and Masisi. From 11 to 13 February 1999 the Rwandan and Ugandan soldiers arrived in Loashi. Seeing some young people arguing, they tried to seize them to make them tell where the interahamwe were hiding. When the young people fled, the soldiers opened fire on them. Total dead: 10, including: • Mr. Kwabo Busanga • Mr. Bandu Elena • Mr. Luanda Lubira • Mr. Muhombo Balaa • Mr. Kaedo Lubira • Ms. Vumi • Mr. Bolingo • Mr. Rujori • Two children aged 10 and 12, not otherwise identified, were also among the victims of those days.	Article 51 of Additional Protocol I, on protection of the civilian population, states: "The civilian population and individual civilians shall enjoy general protection against dangers arising from military operations." Article 31 of the Fourth Geneva Convention: "No physical or moral coercion shall be exercised against protected persons, in particular to obtain information from them or from third parties."

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
Note: It should be noted that the Ugandan and Rwandan soldiers are often accompanied by Hutu children aged from 12 to 15 years who have been trained by the Rwandans at the Mushaki, Nyamitaba and Katale training centres as members of what they call the "people's self-defence group". During their training these children learn how to use weapons and paramilitary techniques.	Article 77 (2) of Additional Protocol I: "The Parties to the conflict shall take all feasible measures in order that children who have not attained the age of fifteen years do not take a direct part in hostilities ..."
• According to several independent sources contacted in Nord-Kivu, 600 children, all of them Hutus from Nord-Kivu, are trained each month by Rwandan FPR officers in the Democratic Republic of the Congo, thus violating the conventions on the protection of children in the event of conflict. Once trained, these "self-defence groups" are sent out to nearly all the villages of Nord-Kivu and are charged with reporting the presence of an interahamwe, a member of the former Rwandan armed forces or the Presidential Guard, or any other person regarded as a Maï-Maï and collaborating with the former Rwandan armed forces, interahamwe and "self-defence groups" who are regarded in the same light as the Jeunesse du mouvement populaire de la révolution (JMPR) of the Mobutu era. On the strength merely of a report suspects could be immediately arrested and tortured; however if grounds for suspicion exist, members of self-defence groups, instead of being arrested, are simply killed.	Idem Article 5 of the Universal Declaration of Human Rights states: "no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment".
• Also on 13 February 1999, the village of Ngesha was invaded by Rwandan and Ugandan soldiers accompanied by one of the notorious self-defence groups.	Article 57 of Additional Protocol I, on precautions in attack, states : "In the conduct of military operations, constant care shall be taken to spare the civilian population, ..."

/...

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
• The villagers were in a state of panic as the soldiers fired at random to keep people from fleeing. Anyone who came out of his or her house to run away would be considered as an interahamwe. Five people were killed in this way, including: • Mrs. Maombi and her five-year-old child; • Three women from the neighbouring village, as yet unidentified, who were passing through Ngesha at the time of these operations.	Article 51 (4) of Additional Protocol I: "Indiscriminate attacks are prohibited."
• In the same place and at the same time, the villages of Busoro, Lushebere and Nyabiondo suffered the same fate as the other villages mentioned above. Among the victims, the following names can be given: • The wife of Mr. Xavier and his child, who were killed in the village of Busor; • Mr. Kamuzee, who was also killed at Busoro; • Kulu Kyabinduka, a resident of Lushebeshere who was killed during these operation; • Mr. Shekishuba and Mr. Siméon, both inhabitants of Nyabiondo, who were killed during these operations.	Article 51 (2) of Additional Protocol I; article 32 of the Fourth Geneva Convention: "The civilian population as such, as well as individual citizens, shall not be the object of attack."

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
• After this Rwandan-Ugandan military operation, the so-called "self-defence group" also looted the property of the villagers who were thought to be collaborators of the interahamwe, the former Rwandan armed forces and Presidential Guard the Maï-Maï.	Article 33 (3) of the Fourth Geneva Convention; article 51 (1) of Additional Protocol I; article 17 of the Universal Declaration of Human Rights states: "The civilian population and individual civilians shall enjoy general protection against dangers arising from military operations ..."
• The Hunde, Nyanga and Tembo tribes, which had refused to send children to take part in this self-defence group or JMP of the Democratic Republic of the Congo, were the victims of several shameful acts during the Rwandan-Ugandan-Burundian military operations. They were killed or robbed, their houses destroyed, their cattle stolen.	Article 51 of Additional Protocol I; article 3 of the Universal Declaration of Human Rights; article 33 of the Fourth Geneva Convention: "Pillage is prohibited. Reprisals against protected persons and their property are prohibited."
• On Friday, 26 February 1999, Rwandan and Ugandan soldiers invaded the village of Mahanga, firing at random. The shooting lasted at least two hours. A dozen persons were hit and died immediately. The following are some names which have been released: • Mr. Mabondo Bernard; • Mr. Yua; • The daughter of Nestor; • Five persons not otherwise identified whose bodies were burnt by an artillery shell that hit their houses.	Article 51 (4) of Additional Protocol I: "Indiscriminate attacks are prohibited. Indiscriminate attacks are: (a) Those which are not directed at a specific military objective; (b) Those which employ a method or means of combat ..."
• From 28 February to 1 March 1999, the villages of Lukweti were attacked by Rwandan and Ugandan soldiers. The toll was heavy: according to information in our possession, 78 people were killed, including 7 women and 2 children.	Article 3 of the Universal Declaration of Human Rights: article 6 of the International Covenant on Civil and Political Rights; article 51 of Additional Protocol I.

/...

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
• On the Ishasha road, 10 people were also killed in the same circumstances as the other victims mentioned above.	Article 51 (4) of Additional Protocol I.
• It will be noted that the operations conducted by the Rwandans to seek out interahamwe in the eastern part of the Democratic Republic of the Congo caused a number of civilian casualties and resulted in the displacement of the population to safer areas.	Article 51 of Additional Protocol I.
• According to humanitarian sources working in Goma, over 4,000 families were registered on 28 February 1999 in Goma fleeing the massacres at Rutshuru and other villages affected by the military operations of Rwanda and Uganda.	Article 51 of Additional Protocol I; article 32 of the Fourth Geneva Convention.
• At Lubero, several sources reported the presence of several thousand families who were also fleeing the massacres.	Article 51 of Additional Protocol I.
• Today, the Congolese civilian population, regarded as being accomplices of the interahamwe, is being killed without eliciting any reaction from the countries that sent people into Congolese territory. Each time the Kengo Government, under Mobutu, tried to send the refugees back to the places they had come from, a senior official of the United Nations was sent as a matter of urgency to Kinshasa to negotiate with the authorities so that the refugees might remain in Congolese territory. Today the question of the Hutus and the interahamwe is becoming taboo within the international community, even though it was the international community that installed them in Congolese territory.	Article 48 of the Fourth Geneva Convention: "Protected persons who are not nationals of the Power whose territory is occupied, may avail themselves of the right to leave the territory ..."

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
• We therefore request the United Nations as soon as possible to find a solution to the problems of the Hutus and the interahamwe, who are currently the main source of insecurity in the eastern part of the Democratic Republic of the Congo. CADI, Nairobi, 12 March 1999 (Source: Source indépendante du Congo (SIC)).	
12 March 1999	
• A large number of families from Urega were in mourning at that time in the town of Bukavu, having lost relatives and friends who were killed a week earlier by the Rwandan-Ugandan-Burundian soldiers at Kamituga. In this region of Urega, a military offensive against the Maï-Maï resistance had begun on 18 February to gain control of this important mining area. The news, which was as shocking as it was unexpected, of a further massacre of civilians has now been confirmed, although the details of this tragedy have not been fully established and the number of victims, which already exceeds 100, is only provisional. It appears from initial corroborative evidence that the sequence of these tragic events was as follows: since the launching of the military offensive which affected the Bushi and Urega regions, RCD troops, composed essentially of Rwandan, Ugandan and Burundian soldiers (estimated at more than 2,000 men), had little difficulty in reaching Mwenga and Kamituga. On 4 March, satisfied at the result achieved, certain top RCD leaders, in particular Vice-President Moïse Nyarugabo and the Head of the Department of the Interior, Joseph Muydumbi, accompanied by the Governor of Sud-Kivu, Norbert Basengezi, and the director of	Article 3 of the Universal Declaration of Human Rights states: "Everyone has the right to life ..."; article 6 of the International Covenant on Civil and Political Rights; article 51 of Additional Protocol I, on protection of the civilian population.

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
the province, Eugène Isengo, travelled in a light aircraft to Kamituga to chair a meeting that had been organized for the local people. The meeting apparently went well: a record attendance of several hundred, a fairly relaxed atmosphere and an unusual amount of applause, and so forth. At the end of the meeting, after announcing their intention of definitively dislodging the Maï-Maï even in the area of Kitutu, the RCD authorities appealed to the people for help in transporting the carriage of weapons and munitions. Several dozen people came forward and the military operation got under way without delay. It was after this heavy defeat that the murderous frenzy of the Tutsi soldiers was again unleashed against the civilian population. The soldiers who had survived the Bigombe ambush during their retreat towards Kamituga, began their pitiless slaughter, massacring anybody they met in the villages along the road: Mazozo, Lutunda, Kenge, Luliba and Kabukungu. At the same time, the soldiers who had remained at Kamituga, having been informed by Motorola portable radio of the defeat of their companions, began to massacre civilians even in the town of Kamituga (Tangila and Kele quarters).	Article 3 of the Universal Declaration of Human Rights; article 6 of the International Covenant on Civil and Political Rights.
• According to the Catholic news agency MISNA, the rebels of the Democratic Republic of the Congo and of the Rwandan-Burundian-Ugandan coalition have just carried out a horrendous massacre in south-west Bukavu in Sud-Kivu, principally in the town of Ngeshe. The death toll includes 250 Congolese belonging to vulnerable categories (children, women and the elderly).	Article 51 (6) of Additional Protocol I states: "Attacks against the civilian population or civilians by way of reprisals are prohibited"; article 33 (3) of the Fourth Geneva Convention.

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
SERIOUS DAMAGE TO FAUNA AND FLORA IN THE OCCUPIED TERRITORIES IN THE EAST OF THE DEMOCRATIC REPUBLIC OF THE CONGO STATE OF THE PROTECTED AREAS UNDER OCCUPATION 1. VIRUNGA NATIONAL PARK (a) Deforestation	
• The European Union, UNHCR and the Dian Fossey Gorilla Fund contributed to the study of deforestation in the Park. A monthly average of about 290 hectares of forest has been cleared over 28 months. Given that the forest produces approximately 210 steres per hectare, this equates to 1,705,200 steres at $20 per stere, or $24,000.	The International Tropical Timber Agreement, Geneva, 1983, which calls for forest utilization while maintaining ecological balance (...), and refers to the responsibility of States for conservation of the genetic resources of tropical forests; the African Convention on the Conservation of Nature and Natural Resources, Algiers, 15 September 1968;[1] article 46 of the Treaty establishing the African Economic Community, Abuja, 3 June 1991, which states that Member States are recommended to protect marine and fishery resources and plant and animal species.
(b) Slaughter of fauna	
• The aggressors kill animals on a daily basis and sell protected animal species threatened with extinction in our national parks.	Article III, paragraph 4 (b) (3), of the African Convention on the Conservation of Nature and Natural Resources, provides that: "'national park' means an area ... in which the killing, hunting and capture of animals and the destruction or collection of plants are prohibited ..."

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
• Three elephants, a number of harnessed guibs, Bongo antelope, monkeys, chimpanzees and baboons were all killed in the same park.	Article VIII, on protected species, states: "Species which are, or may be listed ... in Class A or B ... shall be protected by Contracting States."[2]
Destruction of fauna is estimated at $34,104,000.	Article 53 of the Fourth Geneva Convention, on unauthorized destruction, states that: "Any destruction by the Occupying Power of real or personal property belonging individually or collectively to private persons, or to the State, or to other public authorities ... is prohibited."
As for gorillas, approximately 11 gorillas, including four silverbacks, have been killed since the arrival of the aggressor forces and their accomplices. A gorilla family cannot be completely stable unless it is headed by a silverback.	Article III, paragraph 4 (b) (3), of the African Convention on the Conservation of Nature and Natural Resources; article VIII of the same Convention, on protected species; article 35(3) of Additional Protocol I states: "It is prohibited to employ methods or means of warfare which are intended, or may be expected, to cause widespread, long-term and severe damage to the natural environment"; article 55 (1) of Additional Protocol I states: "Care shall be taken in warfare to protect the natural environment against widespread, long-term and severe damage".

/...

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
2. GARAMBA NATIONAL PARK	
• Some units of the Sudan People's Liberation Army (SPLA) (Sudanese rebels) deployed by the Rwandan-Burundian-Ugandan aggressors in taking over the town of Dungu never returned to the Sudan.	General Assembly resolution 3314 (XXIX) of 14 December 1974, containing the definition of aggression states (annex, article 3): "The invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion ..."
• Most of them settled at the Duru Catholic mission, at the Bagbele and Tekadje patrol posts (park ranger stations) and in the villages near the Park.	Article 53 of Additional Protocol I on the protection of cultural objects and of places of worship, states: "It is prohibited to commit any acts of hostility directed against the historic monuments, works of art or places of worship which constitute the cultural or spiritual heritage of peoples."
• They reopened their poaching camps, known as Africa Moto and Okuma Mafi, which had been destroyed in 1997 by the Congolese Armed Forces. • Thus, SPLA units and the regular forces of the Rwandan and Ugandan Armies are placing unprecedented pressure on the fauna of Garamba National Park.	Article III, paragraph 4 (b) (3), of the African Convention on the Conservation of Nature and Natural Resources states: "'national park' means an area [...] in which the killing, hunting and capture of animals and the destruction or collection of plants are prohibited."

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
• The population of the Park's main species, namely, the northern white rhinoceros, which had increased to 31 animals, is now in danger. A rhinoceros was just killed by poachers in February. Note: The 1973 Washington Convention (CITES) includes all the large monkeys and lemurs, the panda, rhinoceros and leopards among the most endangered species. These species are listed in appendix I to the Convention.	The 1973 Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); article 6 (3) of the Convention for the protection of the world cultural and natural heritage states: "Each State Party to this Convention undertakes not to take any deliberate measures which might damage directly or indirectly the cultural and natural heritage ..."; Article III, paragraph 4 (b) (3) of the African Convention on the Conservation of Nature and Natural Resources.
• As regards the Fauna of Garamba National Park, the Congolese State has been prejudiced by the slaughter of northern white rhinoceros. Of the 31 animals mentioned above, identified during an aerial count taken in June 1997, there are only 24 left, representing the unlawful loss of seven animals killed by Rwandan-Burundian-Ugandan aggressors.	The 1973 CITES Convention; article III, paragraph 4 (b) (3), of the African Convention on the Conservation of Nature and Natural Resources, which describes an area [...] in which the killing, hunting and capture of animals and the destruction or collection of plants are prohibited ..."; article VIII of the same Convention, on protected species, which states that: "Species which are, or may be listed in Class A or B ... shall be protected by Contracting States."

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
• The June 1997 count of elephants shows that, since the suspension of patrols owing to the war imposed on us by the Rwandan-Ugandan-Burundian coalition, 30 elephants whose tusks are highly prized in international trade in wild fauna were killed for their ivory. Note: Principle 2 of the Declaration of the United Nations Conference on the Human Environment, held in 1972, states that: "The natural resources of the earth, including [...] water, land, flora and fauna and especially representative samples of natural ecosystems, must be safeguarded for the benefit of ... future generations." This does not seem to be of concern to the Rwandan-Ugandan-Burundian coalition, with its obsessive thirst for gain.	The 1973 CITES Convention, particularly as African elephants are included in a class of species threatened with extinction unless their trade is regulated and compatible with their survival. These species are included in appendix II of CITES; article 2, third paragraph, of the Convention for the Protection of the World Cultural and Natural Heritage of 23 November 1972, which reads as follows: "For the purposes of this Convention, the following shall be considered as 'natural heritage': natural sites or precisely delineated natural areas of outstanding universal value from the point of view of science, conservation or natural beauty"; article III, paragraph 4 (b) (3) of the African Convention on the Conservation of Nature and Natural Resources states: "... the killing, hunting and capture of animals and the destruction or collection of plants are prohibited."
• Hippopotamuses, buffalo, giraffes and antelope, among others, are also being massacred.	Idem
3. KAHUZI-BIEGA NATIONAL PARK	
(a) Deforestation	
• Based on our information, we believe that damage done to the Kahuzi-Biega National Park is probably about one third of that caused to Virunga National Park by the refugees.	Article III, paragraph 4 (b) (3) of the African Convention on the Conservation of Nature and Natural Resources states: "... the destruction or collection of plants are prohibited ..."

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
• Hence, we estimate that 2,706 hectares were deforested during the 28 months that the refugees were there. Following the same reasoning as for Virunga Park, the estimated loss would be:	Article 24 of the African Charter on Human and Peoples' Rights states: "All peoples shall have the right to a general satisfactory environment favourable to their development." Article 2 of the Convention relating to the Status of Refugees, establishing general obligations, as follows: "Every refugee has duties to the country in which he finds himself, which require in particular that he conform to its laws and regulations as well as to measures taken for the maintenance of public order."
(b) Slaughter of fauna Assuming that the value of fauna and flora can be expressed in the same terms as that of a forest, the loss in fauna would be equal to $11,368,000.	Article III, paragraph 4 (b) (3) of the African Convention on the Conservation of Nature and Natural Resources of 15 September 1968 states that: "'national park' means an area ... in which the killing, hunting and capture of animals and the destruction or collection of plants are prohibited ..."
(c) Loss in tourism revenue Excursions to see gorillas: $700,000 per year X 3.5 years = $2.45 million.	The estimated damage constitutes a loss in earnings for which the Democratic Republic of the Congo must seek fair compensation.

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
(d) Other damage to the environment:	
Cost of protecting the Kahuzi-Biega National Park for 10 years:	
• Wages for 300 employees X 100 = $3.6 million	
• Office expenses: $300 per month X 12 X 10 = $216,000	
• Rations for patrols: $2 per day X 250 persons X 360 days X 10 = $180,000.	
• Maintenance of bush area, $30 for upkeep, 2 maintenance operations per year X 250 X 10 = $150,000	
• Medical care: $1,000 per month X 3 stations X 12 X 10 = $360,000	
• Contingencies and administrative expenses (10 per cent) = $738,600.	
RECENT MAJOR HUMAN RIGHTS VIOLATIONS - APRIL 1999 (NORD-KIVU)	
• In Kisharu, in the Binza group, in the territory of Rutshuru, Nord-Kivu, one Mbusa Nyamwisi, a member of the Nande Beni tribe and the anti-patriotic Rassamblement Congolais pour la Démocratie (RCD) had presided over a meeting in early February 1999 of the majority of the population of that district to install a new Rwandan Administrative Chief. The population expressed its dissatisfaction and refused to be governed by the new Chiefs. Following reprisals, the Rwandan army massacred more than 75 persons in that district; the remaining farmers fled into the forest.	Violation of the principle of the rights of peoples and their right to self-determination contained in Article (2) of the Charter of the United Nations, which authorizes all peoples to choose their leaders freely. Article 33 (3) of the Fourth Geneva Convention; article 3 of the Universal Declaration of Human Rights; article 5 of the International Covenant on Civil and Political Rights.

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
• In Jomba, in the villages of Gasiza Ceya and Nyabubuye, Tutsi soldiers massacred innocent people on the pretext that they were harbouring interahamwe. Several dozen people were killed, the majority of them women and children.	Article 3 of the Universal Declaration of Human Rights; article 6 of the International Covenant on Civil and Political Rights; article 32 of the Fourth Geneva Convention states: "The High Contracting Parties specifically agree that each of them is prohibited from taking any measure of such a character as to cause the physical suffering or extermination of protected persons in their hands ..."
• In Bungana, a post on the Ugandan border where a number of Ugandan Tutsi soldiers are stationed. All the surrounding villages were emptied of their populations by massacres, exile or forcible transfers to locations approximately 15 km from the border.	Article 51 (1), of Additional Protocol I; article 49 of the Fourth Geneva Convention states: "Individual or mass forcible transfers, as well as deportations of protected persons ..., are prohibited, regardless of their motive."
• Primary and secondary schools ceased to function one year ago in many parts of the occupied territories because parents fear that children 12 years of age or older will be recruited by the occupying armies. The answer sheets for State examinations given in 1998 to pupils from the Nord-Kivu provinces were reportedly withheld.	Article 13 (1) of the International Covenant on Economic, Social and Cultural Rights states: "The State Parties to the present Covenant recognize the right of everyone to education ..."
• A number of homes were burnt in Ntamugenega, Nkokwe, Kisigari, Kalengera, Biruma, Kabindi, Rwanguba, Kanyangohe Bweito and Kazuba in the territory of Rutshuru.	Article 53 of the Fourth Geneva Convention (prohibits destruction).
Note: All the massacres were accompanied by pillaging and the burning of homes. Hundreds of vehicles were stolen by the Tutsi and taken to Rwanda, while thousands of homes were burnt in all the villages and communities mentioned.	Articles 33 and 53 of the Fourth Geneva Convention: "Any destruction by the Occupying Power of real or personal property belonging individually or collectively to private persons, or to the State, or to other public authorities ... is prohibited ..."

DESCRIPTION OF ACTS, CRIMES AND ATROCITIES COMMITTED IN THE EASTERN PART OF THE DEMOCRATIC REPUBLIC OF THE CONGO	LEGAL NORMS VIOLATED
We should also mention a case of cattle theft: 300 cows belonging to Segihobe Rwagize were stolen from their pasture in Kamira and 100 cows stolen from the pastures of Kibirihi. More than 2,000 cows, goats and sheep were stolen from the pasture of Bitegetsimana; vehicles were taken by the Tutsi and thousands of homes were burnt in the territories of Masisi, Rutshuru and Nyiragongo.[3]	Article 54 (2) of Additional Protocol I, on protection of objects indispensable to the survival of the civilian population, states: "It is prohibited to attack, destroy, remove or render useless objects indispensable to the survival of the civilian population, such as foodstuffs ..."

[1] According to article III of the African Convention on the Conservation of Nature and Natural Resources, signed at Algiers on 15 September 1968, "natural resources" means renewable natural resources, soil, water, flora and fauna".

[2] Elephants are included in Class B of the protected species and antelopes and chimpanzees in Class A. The appendix contains the complete list of protected species. The 1973 Washington Convention on International Trade in Endangered Species of Wild Fauna and Flora also includes African elephants in the class of species seriously at risk.

[3] This situation tends to confirm that the balkanization of the Democratic Republic of the Congo has long been planned to benefit the Tutsi, whose occupation of the eastern territories would be facilitated by the partition. The plans to exterminate the Bantu population of Kivu in order to eliminate any resistance would also fit into this scheme.

Annex I

List of names of persons murdered at Makobola and other killings reported in Sud-Kivu

Number assigned to the dead	Names of persons murdered	Age	Sex	Village
01	ABUNGU CHRISTINE	-	F	MIKUNGA
02	AMANI LUSUNGU	-	M	- « -
03	AWEZAYE KAHINDO	-	F	- « -
04	AMISA NAMLANGALO	-	F	- « -
05	APOLINA BYOSAA	-	F	- « -
06	ASENDE MASUMBUKO	-	F	- « -
07	ALUMBE MUKOKO	-	F	BANGWE
08	ABWE MULASHI	-	F	- « -
09	ALIMASI LUMENGE	-	M	- « -
10	ASANI ALUMBE	-	M	- « -
11	ALINGI ONGEMBALAMWEGI	-	M	- « -
12	APAKO - « -	-	F	- « -
13	ATONDA - « -	-	F	- « -
14	AAMBA SALUMUMBALAMWECHI	-	M	- « -
15	AMISI ABUNGO	-	F	- « -
16	ABWE ISHIABWE	-	M	- « -
17	ANGELAN MALIPO	-	F	- « -
18	ALISA NYAMGO	-	F	KAHAMA
19	ANTO LOTOELO	-	F	- « -
20	ABELECI LOTOELO	-	M	- « -
21	AMISA LOTOELO	-	F	- « -
22	ASENDE SELEMANI	-	F	- « -
23	ABWE YALUMBA	-	M	- « -
24	ARONI LUTUMBU	-	M	- « -
25	ABALE ILANGYI	-	M	NGALULA
26	AOCI MMANINWA	-	M	- « -
27	AMBAMBA MMANINWA	-	M	MBOKO
28	ABEBELE MAWAZO	-	F	KASHEKEZI
29	AMUNASO MULISHO	-	F	KASHEKEZI
30	ASSUMANI HALI	-	M	- « -
31	ABABELE ALISHI	-	M	- « -
32	ALISA WABANGWA	-	F	KIVONGOLWA
33	ABWE FAHISI	-	M	- « -
34	ALUMBE ABINAMWISHO	-	F	KAMBA
35	ALUNGU LOKOLE	-	M	- « -
36	ASSANI ALEXI	-	M	KASHEKEZI
37	ALUNGU ONGE	-	M	- « -
38	ADOLPHE OMARI	5	M	KALOMO
39	AMBA SALUMU	-	M	- « -
40	ABALE ONGEMBALA	46	F	BANGWE
41	ANGELANI SALUMU	45	F	- « -
42	ALULEYA ABALE GANA	20	M	- « -
43	ALUBETINA ABABELE	-	F	- « -

44	ALUMBE KA	-	M	- « -
45	ALUTA YENA	-	F	- « -
46	ASENDE ESOA	7	F	MIKUNGA
47	ABUNGO WILONGA	42		- « -
48	AMISA ELOCO	5	F	- « -
49	AOCI NENDJO	4	M	MIKUNGA
50	AKUMBA OREDI	6	M	- « -
51	ASENDE ELISA	10	F	- « -
52	ALONDA MWAMI CHANGA	30	M	- « -
53	ABEKYA IYANGYA	67	M	- « -
54	ABULE LUSAKANYA	18	M	- « -
55	AKUMA ABEKYA	1	M	- « -
56	APENDEKI MIRENGE KASONGO	40	F	KATUTA
57	APENDEKI GERARD	12	M	« -
58	APENDEKI LUMINA	31	F	- « -
59	AOCI LUMINA	8	M	- « -
60	ABABELE MBELECI	18	F	KASHEKEZI
61	AMAZO ECINA	40	F	- « -
62	ASSUMANI ECA	6	M	- « -
63	AMBAMBE PILIMO	-	M	MUKWEZI
64	AMSINI PIPA	40	M	MUNENE
65	APOLINA MITAMBA	38	F	- « -
66	ASUKULU SANTO	1	M	- « -
67	ANDRES LOBONGYA	55	M	KAHAMA
68	ANDALA TITO	8	M	- « -
69	ALONDA POPO	10	M	KAHAMA
70	ASUKULU POPO	6	M	- « -
71	ALISA WAESUBE	7	F	NGALULA
72	ALISA BITENDELO	43	F	- « -
73	ABUBAKAR MUSTAFA	-	M	KAMBA
74	ALLY MOUSTAPHAN	-	M	- « -
75	ASENDE MUNDA	-	M	- « -
76	AMISSI JUMA	-	M	- « -
77	ABWE ANGELE	-	M	- « -
78	ALULEYA AKYAKALA	-	M	- « -
79	AMOSSI MAHASHA	-	M	- « -
80	ASUKULU PAUL	-	M	- « -
81	BUDOGOBUDOGO (Burundian refugee)	-	F	MAKOBOLA I
82	BAHATI BULENGE	-	M	- « -
83	BYAOMBE CESAR	-	M	- « -
84	BILOMBELE EBENGO	-	F	KATUTA
85	BITA KAHINDO	-	M	MIKUNGA
86	BIENFAIT ITONGWA	-	M	- « -
87	BILEMO SALEHE	-	F	- « -
88	BILEBWA MAWAZO	-	M	- « -
89	BUHEBELU LANKINA	-	F	- « -
90	BOSONGOMA MAYALIWA	-	M	- « -

91	BINWA BITA	-	M	- « -
92	BOBILYA ABWE MBALAMWESHI	-	F	- « -
93	BOKOBO LWAMESSO	-	M	- « -
94	BOBILYA BAKUMBA	-	F	- « -
95	BILOMBELE LOTOELO	-	F	KAHAMA
96	BONYEMU LOTOELO	-	F	- « -
97	BYALUNWA ABWE	-	F	- « -
98	BYALUNWA ICIBYANGYLA	-	M	- « -
99	BULUMBA ISHEKELA	-	F	- « -
100	BULEMBO SADI	-	F	- « -
101	BUSA MBILIZI	-	M	- « -
102	BILOMBELE NYASSA	-	F	NGALULA
103	BAHATI -	-	M	MUKWEZI
104	BITISHO MAWAZO	-	F	KASENYA
105	BIBI NAKITUNGA	-	F	- « -
106	BELLE FILLE MIKOMA	-	F	KALOMO
107	BAIYE JOSEPHINE	-	F	ILAKALA
106	BENJAMIN SHIABWE	-	M	- « -
109	BENGA JEAN PIERRE	1 year 8 months	M	BANGWE
110	BAUKYAKA ECUMBE	30	F	- « -
111	BUYEMBU WIYONGA	32	M	- « -
112	BUNYEMU ELOKO	8	M	MIKUNGA
113	BILEMO ITONGWA	9	F	- « -
114	BATASEMA BWALFU	14	M	- « -
115	BILECA APENDEKI	5	F	- « -
116	BULOKO MWA A	3	M	- « -
117	BYAOMBE BAELANYA	3	F	- « -
118	BAHINGWASE YOHERI	5	M	KATUTA
119	BORA BARUTI	15	F	KATUTA
120	BWENGE LUMINA	4	M	- « -
121	BALULU LUMINA	1	M	- « -
122	BAHATI MASUMBUKO	-	M	MUKWEZI
123	BAHIYE YONA	49	F	MUNENE
124	BIBYANE ITONGWA	3	F	KAHAMA
125	BOLENGELWA ALENGE	4	M	- « -
126	BENOIS -	46	M	- « -
127	BOKABO RAMAZANI	37	M	NGALULA
128	BYAUSSA BYASONGA	77	M	- « -
129	BILOMBELE ANGELANI	-	F	KAMBA
130	BAHELANYA MANYANGA	-	M	- « -
131	BYA M NONI ROSA	-	F	- « -
132	BULIMWENGU MASHAKA	-	M	- « -
133	BUKURU SOBANUKA	-	M	- « -
134	CLAUDINE BELINDA BENGA	-	F	BANGWE
135	CHEKANABO LOTOELO	-	F	KAHAMA
136	CHEKANABO WILONGA	-	F	KAHAMA
137	CHRISTINA -	-	F	MUNENE

138	CHALA BILEMU	-	F	KAMBA
139	CHALA MUSHO	-	F	KASHEKEZI
140	CHALA ELOGO	37	F	BANGWO
141	CHALA ELOCO	35	F	MIKUNGA
141	CHENGA MWANDAMA	9 months	M	KASHEKEZI
142	DEPE LOTOELO	-	M	KAHAMA
143	DIEUDONNE WALUENYA	-	M	- « -
144	DUNIA GODET	-	M	-
145	DODOMA KATONDA	64	M	MIKUNGA
146	DESHATI MIRENGE KASONGO	9	M	KATUTA
147	DIEUDONNE WATEKWA	6	M	NGALULA
148	DUNIA JEROME	-	M	KAMBA
149	WIFE OF MR. NGWETO	-	F	MAKOBOLA I
150	WIFE OF MR. MANDEVU	-	F	- « -
151	ECHA MWENDA	-	F	- « -
152	EYANGANO BIKOPO	-	F	KATUTA
153	ESOA REMIE	-	M	MIKUNGA
154	ESOA ONGA OBE	-	F	- « -
155	ETO ASONGO	-	F	BANGWE
156	ESUBE GASTON	-	M	KAHAMA
157	ELOCHO LOTOELO	-	F	- « -
158	EKYOCHI WABUCIBWA	-	F	- « -
159	EKYOCHI NASENDE	-	F	- « -
160	EMBETE LUTUMBA	-	M	- « -
161	EKUKULA NDALO	-	M	- « -
162	ENDANI TSHEKELA	-	F	NGALULA
163	EKA KAMULEWA	-	M	- « -
164	EKIKI TUBANGYO	-	M	KASHEKEZI
165	ESOLOMWA BALAHIMU	-	M	- « -
166	ELECHI MASUMBUKO	-	M	KIVONGOLWA
167	EPANGYA	-	M	KAMBA
168	ELEMA YAMSHINGA	-	M	- « -
169	EANGANO	-	F	-
170	ENGENISHI BWANGA	2	F	ILAKALA
171	ECHA MWASHITE	3	F	BANGWE
172	EPANGYA SALEHE	-	M	- « -
173	EPONDO MWA A	7	F	MIKUNGA
174	EBISHWA BALONGELWA	9	M	- « -
175	ECHULE ITONGWA	7	M	- « -
176	ESPERANCE MIRENGE KASONGO	16	F	KATUTA
177	EKYOSHI SHINGONDE	14	M	KASHEKEZI
178	ELISHA ANDO'OLO	31	M	- « -
179	ECHA MMBEMBE	3	F	- « -
180	ESOMBOLA BULAHIMU	63	M	- « -
181	ETUNGANO	-	M	MUKWEZI
182	ESPERANCE JOHALI	6	F	KAHAMA
183	ELISHABETH ITONGWA	1	F	- « -
184	ESUBE GASTON	55	M	NGALULA

/...

185	EYANGANO STEFANO	-	M	KAMBA
186	ELIE JEROME	-	M	- « -
187	FITINA FATUMA	-	F	MAKOBOLA I
188	FATUMA MARONDO	-	F	KATUTA
189	FITINA NABASIKYAKA	-	F	MIKUNGA
190	FAMBA LUKOLE	-	M	- « -
191	FARAJA ISHEKELA	-	M	KAHAMA
192	FEZA LUTUMBU	-	F	- « -
193	FALIALA MMANDAMA	-	M	- « -
194	FIKIRINI MUFULERO	-	M	KABUMBE
195	FILIPO ISA	-	M	NGALULA
196	KIHEKA FAMILY (5 children)	-	-	-
197	MANDEVU FAMILY (2 children)	-	-	-
198	FITINA FATUMA (2 children: forced Caesarean)	-	-	-
199	MBIRIMA EMMANUEL FAMILY (3 children)	-	-	-
200	HOJA BWENGA FAMILY (4 children)	-	-	-
201	HOJA BWENGA FAMILY (4 children)	-	-	-
202	MALIYANI GODEFROID FAMILY (6 children)	-	-	-
203	MIKOMA FAMILY (9 persons)	-	-	-
204	SEGERE FAMILY (4 persons)	-	-	-
205	KANGERE FAMILY (4 persons)	-	-	-
206	WENYA FAMILY (3 persons)	-	-	-
207	BASHAHUNGU FAMILY (28 persons)	-	-	-
208	BASHIHOGE FAMILY (20 persons)	-	-	-
209	CHILDREN OF JOSEPHINE NAOHI (2 persons)	-	-	-
210	CHILDREN OF CHALA (5 persons)	-	-	-
211	FREDERIC ANGETE	30	M	MIKUNGA
212	FITINA NAIYANGA	9	F	- « -
213	FITINA NASHAGALI	3	F	KATUTA
214	FURAHA SANGO	9	M	KASHEKEZI
215	FURAHA NALUBELA	4 months	F	NGALULA
216	FARIALA APATA	70	M	- « -
217	FATUMA MOUSTAN	-	F	KAMBA
218	GEORGETTE MBYULA	-	F	MIKUNGA
219	GODET SENGE	-	F	-
220	GANA GANA	-	M	BANGWE
221	HONORE NAKITUMBA	-	M	MAKOBOLA I
222	HENRI NGOLO	-	M	BANGWE
223	HERI ASUKULU	-	M	NGALULA
224	HUZURI AMISI	2	M	MIKUNGA
225	HONORINA MANENO	3 years 3 months	F	MIKUNGA
226	HERI MUSASECHA	17	M	KAHAMA
227	HASHA ANDRE	69	F	-
228	ILEMBO SADI	-	M	-
229	ITONGWA LUNGELE	-	M	-
230	ISMAEL BENGA	-	M	NGALULA

/...

231	IBUCHWA ASUSU	_	M	-«-
232	ISHIBABU -	_	M	-«-
233	ISHIABWE ASA	_	M	KASHEKEZI
234	IDI MIRENGE	_	M	-«-
235	ITONGWA NKABO	69	M	MIKUNGA
236	ISSA LUBUNGA	56	M	MIKUNGA
237	ISAKA MISABEO	73	M	KASHEKEZI
238	IO'IBUMBA STEPHANE	_	M	KAMBA
239	JOSEPHINE (WIFE OF MR. MASTA)	_	F	MAKOBOLA I
240	JEAN PIERRE KAHINDO	_	M	MIKUNGA
241	JEANINE MPENDA	_	F	-«-
242	JOSEPHINE NA'MMBUTU	_	F	-«-
243	JACQUES MWENDA	_	M	BANGWE
244	JEANNE NDAHAZA	_	F	KAHAMA
245	JEANNETTE AMBIANCE	_	F	NGALULA
246	JOSEPH MPUPU	_	M	MUKWEZI
247	JULIENNE NANGYICHI	_	F	KIVONGOLA
248	JUSELE MIHIGO	_	F	-«-
249	JOSEPHINE WATUTA	_	F	-«-
250	JOSEPHINA ONGE MBALA	3 months	F	BANGWE
251	JACQUES ONGHE	37	M	-«-
252	JEAN PIERRE MIRENGE KASONGO	3	M	KATUTA
253	JACQUELINE FANGO	18	F	KASHEKEZI
254	JULES	_	M	CITÉ II/MBOKO
255	JEAN-MARIE CHILA	1	M	KAHAMA
256	JEANNETTE MUFAUME	43	F	NGALULA
257	JEANNE BAHIYE	40	F	-«-
258	JOSEPHINE NDOHI	_	F	KAMBA
259	JOSEPHINE LUNGWE	_	F	-«-
260	JUJU BUKUMBA	_	F	-«-
261	JAQUELINA MUTOCHA	_	F	-«-
262	JAQUES SUNGULA	_	M	-«-
263	KISHIBISAHA MALIANI	_	M	MAKOBOLA I
264	KAI -	_	M	-«-
265	KABWANA BULENGE	_	M	-«-
266	KABIBI BULENGE	_	F	-«-
267	KYAKUNA KAMNOBE	_	F	-«-
267	KITABO KITAMALA	_	M	-«-
268	KAYUYA MALIYANI	_	M	-«-
269	KITUNGANO KATITA	_	M	-«-
270	KYOYO(WIFE OF MR. NAKITUMBA)	_	F	KATUTA
271	KIPANZA SALEHE	_	M	MIKUNGA
272	KALUTA MAHOKA WELONGO	_	M	BANGWE
273	KAGESURU FURAHISHA	_	F	-«-
274	KATAINA MMUMENGAKOBE	_	F	KAHAMA
275	KISE AKYENA	_	M	-«-
276	KITUMAINI ISHEKELA	_	M	-«-
277	KABABWA WAKYENYA	_	M	-«-

/...

278	KYOBA MBILIZI	_	M	- « -
279	KISLE BWAMI	_	M	- « -
280	KAZUZU WETU	_	M	NGALULA
281	KITUNGANO USENI	_	M	MUKWZEI
282	KALUTA -	_	F	KAMBA
283	KASIBA -	_	F	ILAKALA
284	KASUKU -	_	M	- « -
285	KASHIMBO MWATUMO	_	F	- « -
286	KOLETA OSENI	32	F	BANGWE
287	KAMNO MYAYO	3	M	MIKUNGA
288	KIMBITI MILUNGA	38	M	- « -
289	KABITI KATIIGUTA	2	F	KATUTA
290	KADOGO YOMBE	2	M	KATUTA
291	KATERANYA(Burundian refugee)	-	M	BASHILUBANDA/MBOKO
292	KASIBA KATUMBI	30	F	MUNENE
293	KISEKEDI LOTOELO	16	M	KAHAMA
294	KULIYE SHABANI	65	M	NGALULA
295	KAMPE MMJOMBO	-	M	NGAMBA
296	KEYO SUNGULA	-	M	- « -
297	KASHINDI SUNGULA	-	M	- « -
298	KALYAMTU MAKOBOLA	-	M	- « -
299	KAMBEMBA ASSUMANI	-	M	- « -
300	LUNGA JOSEPHINE	-	F	KATUTA
301	LOKOLE LUSUNGU	-	M	MIKUNGA
302	LUKANGYELA EKYAMBA	-	M	- « -
303	LUPONDA ESOWA	-	M	- « -
304	LEA SALIMA	-	F	- « -
305	LUKAMBELO UWANDJA	-	M	- « -
306	LALIA AMEMBE	-	F	- « -
307	LUMUMBA NDAHAZA	-	M	KAHAMA
308	LAINI MMDAMA	-	F	- « -
309	LUTUMBU BYAMUNGU	-	M	- « -
310	LUSHI MWASHITI	-	F	NGALULA
311	LENDEZA MNANDOTO	-	F	ILAKALA
312	LALIA MWA'A	3	F	MIKUNGA
313	KAMPE MULENDA	-	M	NGAMBA
314	LOKELE TSHILANGO	83	M	MIKUNGA
315	LOKALELO MMANDA	70	M	- « -
316	LUNYEMBA ABEKYA	26	M	- « -
317	LALIA EMBETE	8	F	- « -
318	LOKOLE TABISENGWA	8	F	- « -
319	LIPANGA BARUTI	3	M	KATUTA
320	LEKUMU	-	M	- « -
321	LAHELI NYASSA	39	F	KASHEKEZI
322	LYAENDA MNOBE	7	M	KAHAMA
323	LWANGELA HAMISI	11	M	- « -
324	LWAMBO MBILIZI	8 months	M	- « -
325	MUSEMEWA(WIFE OF MR. KINEKA)	-	F	MAKOBOLA I

/...

326	MOTHER OF MR. KINEKA	-	F	- « -
327	MALIANI GODEFROIE (Ségom)	-	M	- « -
328	MAPWATA MALIANI	-	M	- « -
329	MARIE NALUSHUMBA	-	F	- « -
330	MATESO	-	F	- « -
331	MIMA	-	F	- « -
332	MUSUNGU BULENGE	-	M	- « -
333	MUGANGANE WA BAZIBA	-	M	- « -
334	MUBANGUBANGU	-	M	- « -
335	MALOLA ASSUMANI	-	M	- « -
336	MANA (WIFE OF MR. KANGERE)	-	F	- « -
337	MULILIKWA BUGARAMA	-	M	- « -
338	MAUWA ROSA	-	F	- « -
339	MASASI WENYA	-	M	MIKUNGA
340	MAKOMA CHRISTINE	-	F	- « -
341	MWENGE NABAUKYAKA	-	F	- « -
342	MANDELENI LWABABA	-	F	- « -
343	MILINGANYO ALONDAMWAMI	-	M	- « -
344	MULISHO SHUKURU	-	M	- « -
345	MLONDONI KACHELEWA	-	M	- « -
346	MLASHI MIYAMBANO	-	F	- « -
347	MAWAZO SALIMA	-	F	- « -
348	MKYUNGU FUMORO	-	M	BANGWE
349	NZALIWA HOSHINAWAKE	-	M	- « -
350	MAHONECHO ONGEMBALA MWEC	-	F	- « -
351	MLASHI ONGEMBALAMWECI	-	F	- « -
352	MANDELENI SALUMU	-	F	- « -
353	MAENOSHO SALUMU TAMBE	-	M	- « -
354	MMBUNDA ODENI	-	M	- « -
355	MAYA ODENI	-	M	- « -
356	MWENDA MLUBI	-	F	- « -
357	MAAO SALUMU	-	M	- « -
358	MMANDAMA EMANGA	-	M	KAHAMA
359	MAZAMBI KYALONDAWA	-	M	- « -
360	MELANIYA LOTOELO	-	F	- « -
361	NTEMA LOTOELO	-	M	KAHAMA
362	MBUMBA LOTOELO	-	M	- « -
363	MINYEKO AKYENA	-	M	- « -
364	MMBOMBA AKYENA	-	M	- « -
365	MALENGA YELAMWA	-	F	- « -
366	MALUMBE MMDAMA	-	M	- « -
367	MASHAKA MMDAMA	-	M	- « -
368	MARIMU MAZAMBI	-	F	- « -
369	MSAFIRI ABWAKE	-	M	- « -
370	MWENDA MBILIZI	-	M	- « -
371	MAUWA ASANI	-	F	NGALULA
372	MAKALA ILANGIYE	-	M	- « -
373	NSOMBWA TAMUSAALE	-	F	- « -

/...

374	MBELECI HERI	-	F	- « -
375	MBELECI MAKYAMBE FEZA	-	F	- « -
376	MORTON BENGA	-	M	- « -
377	MINYEKO ISHIBABU	-	M	- « -
378	MWALIMU AMBILO	-	M	MUKWEZI
379	MOMBO AKAMBA	-	M	LUSAMBO
380	MAUWA	-	F	MUNENE
381	MUKE MASTA	-	F	- « -
382	MUBANGU BANGU	-	M	- « -
383	MWENGE ABEYA-EKA	-	F	KASHEKE
384	MIMA NA-ABUE	-	F	- « -
385	MANDELI NABITO	-	F	KIVONGOLWA
386	MLONDA EBUKA	-	M	KAMBA
387	MKYUNGU EKYELA (EKELA)	-	M	- « -
388	MMBUMDA SALEM	-	M	- « -
389	MAYA -	-	F	- « -
390	MIYUNGANYA POLIDIRE	-	F	KASHEKEZI
391	MIRENGE BARUTI	-	M	- « -
392	MASUMBUKO BARUTI	-	M	- « -
393	MALOBA BARUTI	-	M	- « -
394	MAKWATA GODET	-	F	- « -
395	MILONDANI -	-	F	- « -
396	MAPE NDO -	-	F	- « -
397	MLASI NAMINYEKO	-	F	- « -
398	MUTOTO FRANÇOIS	-	M	- « -
399	MAZAMANI MMENENE	-	M	- « -
400	MUSUNGU WEKELA	-	M	- « -
401	MAIRIA + 1 SON	-	F	- « -
402	MBIRIMA EMMANUEL	30	M	KIVONGOLWA
403	MAHONESHO WAMULOLA	65	F	- « -
404	MARIABO NABAJUMBI	59	F	KALOMO
405	MUGANGANE ROGER	57	M	KALOMO
406	MAONESHO BILEMO	57	F	- « -
407	MALIPO BENI	-	F	- « -
408	MANDE SALUMU	-	F	- « -
409	MARIA NYALUSHUMBA	52	F	KANYANGWE
410	MAVUNDJA ECLESIA	-	M	ILAKALA
411	MAESA KAKUMBU	-	F	- « -
412	M'KYUNGU W'EKELA	24	M	BANGWE
413	MWANYI MALENGELA	45	M	- « -
414	MASEMO MUTAMBALA	10 months	M	- « -
415	MAMAN FATUMA	-	F	MIKUNGA
416	MLISHO ELOCO	3	M	- « -
417	MOTEMA ELOCO	5 months	M	- « -
418	MWEN'ESUBE ELOCO	75	M	MIKUNGA
419	MILENGANI ALONDAWA	55	M	MIKUNGA
420	MLONDANI MANYINWA	21	M	- « -
421	MITANGA HOMARI	1	F	- « -

/...

422	MWA'A ABEKYA	43	M	-«-
423	MAOMBI JEANO	6	F	-«-
424	MIKABOKABO IOI	13	M	-«-
425	MAWAZO SELEMANI	49	F	-«-
426	MMENENWA LUSAKANYA	14	M	-«-
427	MASOKA ABEKYA	5	F	-«-
428	MMBANGO LUANGA	11	M	KATUTA
429	MIRENGE BAHATI	40	F	-«-
430	MIHIGO BARUTI	18	M	-«-
431	MITOMBO BARUTI	9	M	-«-
432	MACOZI MIRENGE KASONGO	9	F	-«-
433	MASUMBUKO LABWIKA	28	M	-«-
434	MWASHANBA JOMBE	4	F	-«-
435	MALENGA MMSSA	7	F	-«-
436	MUKUNIKINI TOSHA	6	F	-«-
437	MALEKANI SUMAHILI	4	M	-«-
438	MMONGA EHANGO	29	M	-«-
439	MUSA LUMINA	14	M	-«-
440	MALENGA PUPA	9	F	-«-
441	MAPWATA PUPA	13	M	-«-
442	MAWAZO PUPA	2	F	-«-
443	MARIAMU KISIMBA	7	F	KASHEKEZI
444	MOSHI CHAMLUNGU	14	F	-«-
445	MAMBOLEO WILONDJA	79	M	-«-
446	MUSAFIRI ABEKYAMWALI	61	M	-«-
447	MWENELWATA LUKABA	16	M	-«-
448	MBELECI ABALE	11	M	-«-
449	MALENGA BI'ANGWA	31	F	-«-
450	MBEUMU ETANDO	10	M	KASHEKI
451	MUNOKO	-	M	KABUMBE
452	MU'OSA	-	M	-«-
453	MWALIMU AMBELA	-	M	MUKWEZI
454	MAYANGA ISHIBATWA	-	M	LUSAMBO
455	MAMBO -	-	M	-«-
456	MARIE -	-	F	MUKANDJAKOU
457	MUKELA -	-	M	CITÉ III/MBOKO
458	MINEBWE SHIABWE	27	M	MUNENE
459	MAETA MUFAUME	14	M	-«-
460	MUFANDJALA TUBEREZA	39	M	-«-
461	MACOZI ABWE	8 months	F	-«-
462	MIRENGE NGAVANWA	-	F	KAHAMA
463	M'MGI ENOKE	-	F	-«-
464	MMONGA POPO	6	M	-«-
465	MWENE LUKU SHILA	70	M	-«-
466	MUTAMBALA CHAMLUNGU	14	M	-«-
467	MUSAFIRI LOTENGYA	8	M	-«-
468	MWASHITE ETABO	11	F	NGALULA
469	MINYEKO BYASSONGA	25	M	-«-

470	MWANGAZA LUBENOA	66	F	- « -
471	MAIVUNO NAMUSEANGWA	35	F	- « -
472	MAONESHO LUNGWE	-	F	KAMBA
473	MLASHI MAYAMBE	-	F	- « -
474	MLASHI LOKELELO	-	F	- « -
475	MAPENDO MASAMBA	-	F	- « -
476	MATOMBO ALIMASI	-	M	- « -
477	MWALIBOLA BUSUNGU	-	F	- « -
478	MBAYA BURISENGE	-	F	- « -
479	MTEE EBELETE	-	F	- « -
480	MWASHITI RUHINOIZA	-	F	- « -
481	MUIBA KECHA BARUAMI	-	F	- « -
482	MARIA ASSANI	-	F	- « -
483	MWASHITE NALUSHENGE	-	F	- « -
484	MUSUKIWA NANDOLANI	-	F	- « -
485	MALENGA TOTO	-	F	- « -
486	MATENDO RUHAYA	-	M	- « -
487	NDAMA RUSANGIZA (DELPHIN) - Deacon and relief worker	-	M	MAKOBOLA I
488	NESHO MIKOMO	-	M	- « -
489	NYIHASHA MAMAKAMANGO	-	M	MAKOBOLA I
490	NAKASHINDI	-	F	KATUTA
491	NYASSA ASAMBA	-	F	MIKUNGA
492	NYOTA KIBISWA	-	F	MIKUNGA
493	NAMTMUDACHI ESOA	-	M	- « -
494	NAKESENGE MWAMINI	-	F	- « -
495	NALUPONDA MISUNGA	-	F	- « -
496	NAMATE CHABENGANA	-	F	- « -
497	NYOTA ENDANI	-	F	- « -
498	NAAMBACHA ITONGWA	-	F	- « -
499	NAMBULECHIBWA NGUBULWA	-	F	- « -
500	NABEMBA NISALO ONGE	-	F	- « -
501	NATANI SILA	-	M	KAHAMA
502	NYENGELA BWAMI	-	M	- « -
503	NYENGELA MLASI	-	F	KAHAMA
504	NAMIRENGE NGANYWA	-	F	- « -
505	NAGAYONE NDAHAZA	-	F	- « -
506	NYAMBWE MMDAMA	-	M	- « -
507	NYOTA MBILIZI	-	F	NGALULA
508	NAGUNGU BUKUMBA	-	F	- « -
509	NAGUNGU ABWE	-	F	- « -
510	NAGUNGU ANNA	-	F	- « -
511	NAGUNGU THERESE	-	F	- « -
512	NAABWE LOHI	-	F	- « -
513	NAMIYA RAMAZANI	-	M	- « -
514	NAMBWELA SOPHIE	-	F	KASHEKEZI
515	NAMALELEMBE MWAMINI	-	F	- « -
516	NYANGYE LUKANGAKYE	-	M	KAMBA

517	NANTHANIE SHILA	-	M	KALUMO
518	NAWELONGO IVONNE	-	F	KASHEKEZI
519	NYOTA ITONGWA	-	F	- « -
519	NABYOCHUCHWA	-	M	- « -
520	NAMWATUMU	-	M	- « -
521	NDAHILONGO RASHIDI	52	M	KIVONGOLWA
522	NYASSA OMAR	-	F	KALOMO
523	NANWARI KARINGINGO	-	F	KANYAGWE
524	NANGOME JULINE	40	F	- « -
525	NDA'ALA (SON OF MUYENGA)	3 months	M	- « -
526	NAPINDA KUNGU	-	F	ILAKALA
527	NAWELONGO LEYA	-	F	BANGWE
528	NAYASSA MPENDA	38	F	MIKUNGA
529	NYOTA ELOCO	1	F	MIKUNGA
530	NAMSENGELO MAYALIWA	23	F	- « -
531	NAMTE OMARI	5	F	- « -
534	NAYOTA YONASI	51	F	- « -
535	NYASA NABILUBI	43	F	- « -
536	NABYTUNGA NAMWEMBE	60	F	- « -
537	NALMLELWA	57	F	- « -
538	NGYUKU OREDI	3	F	- « -
539	NAMABAMBA MIGUNGA	73	F	- « -
540	NALWAMBA NAYENGA	67	F	- « -
541	NAKAMANA NYIHASHA	48	F	KATUTA
542	NANYOKU NGALULA	70	F	- « -
543	NALOEBO N'EBUNDA	3	F	- « -
544	NAMWASHA KIRENGE	1	F	- « -
545	NANGENDO MUHERONA	5	F	- « -
546	NJONJO APENDEKI	2	F	MUNENE
547	NISIMO NAPENDA	80	F	- « -
548	NATABU APENDEKI	56	F	KAHAMA
549	NAMMENGA MENGWA	60	M	NGALULA
550	NAKYOYO NAKITUMBA	-	F	KAMBA
551	NAMINYEKU LWENDO	-		KAMBA
552	NEEMA MAYAYA	-		KAMBA
553	NDALA MBILIZI	-		KAMBA
554	NDAHO BUMENGE	-		KAMBA
555	NEEMA ISHARA	-		- « -
556	OLOMWENE ISA	-	M	NGALULA
557	ONGA OBE CLAUDE	17	M	KASHEKEZI
558	OMBENI JIMMY	-	M	KAMBA
559	PATRICK KONGOŁO	-	M	IKUNGA
560	PENDEZA ABANGWA	-	F	KAHAMA
561	PENDEZA ISA	-	F	NGALULA
562	PATILI MIHIGO	-	M	NGALULA
563	PADRI SUKARI MIRENGE KASONGO	15	M	KATUTA
564	PRIMO SWEDI	43	M	KATUTA
565	PETELO LWE'YA	-	M	KAMBA

566	REMY MALIANI	-	M	MAKOBOLA I
567	REHEMA APOLINA	-	F	MIKUNGA
568	REHEMA ACHAI	-	F	BANGWE
569	RIZIKI ODENI	-	F	BANGWE
570	REHEMA NAMBWELA	-	F	BANGWE
571	RAZARO	-	M	KASHEKEZI
572	RIZIKI GODET	-	F	KASHEKEZI
573	RAZARO LWAMESO	-	M	BANGWE
574	RAMAZANI MIRAMBA	18	M	MIKUNGA
575	ROSA ECHA	10 months	F	MIKUNGA
576	REHEMA ABEKYA	6	F	MIKUNGA
577	REHEMA MUSEMBWA	11	F	MIKUNGA
578	RWAKANA NGUBANA	40	M	MUNENE
579	RUNYURIZI RUBARUBA	-	M	KAMBA
580	RAMAZANI ESUBE	-	M	KAMBA
581	RAJABU LWENDO	-	M	KAMBA
582	ROSA ZABIBU	-	F	KAMBA
583	SENGE GODELIVE	-	F	KATUTA
584	SWEDI AMISI	-	M	MIKUNGA
585	SHOLA MARTA ELONGO	-	F	MIKUNGA
586	SAFI NACHIBIYA	-	F	MIKUNGA
587	SAMSON MANONO	-	M	MIKUNGA
588	SAFI NACHIBIYA	-	F	MIKUNGA
589	SAMSON MANONO	-	M	BA NGWE
590	SAFO WABANGWA	-	M	BANGWE
591	SUNGULA MMALE	-	M	BANGWE
592	SAMUEL ONGE MBALAMWECHI	-	F	KAHAMA
593	SUMBUNI SAFARI MBALAMWECHI	-	F	KAHAMA
594	SIKITIKO EMBWE	-	M	KAHAMA
595	SAFI LOTOELO	-	M	KAHAMA
596	SHUKURU LOTOELO	-	F	KAHAMA
597	SUNGULA WACHAULE	-	M	KAHAMA
598	SABITI ICHEKALA	-	M	KAHAMA
599	SIUZIKI MBILIZI	-	M	KAHAMA
600	SITUAI ABULE	-	M	LUSAMBO
601	SHAURI APUTULA	-	M	KASHEKEZI
602	SAVERI LWAMBANYA	-	M	KIVONGOLWA
603	SAVERI LWAMBANYA	-	F	KASENYA
604	SHIBAKE ECHA	-	F	KASHEKEZI
605	SHEMEDI MAHUNGU	-	M	KASHEKEZI
606	SALOME MAKUMBA	-	F	KASHEKEZI
608	SALIA NAMAHEMBA	8 months	F	KALOMO
609	SHAONA MIHIGO	-	F	ILAKALA
610	SHAPATA MIRENGE	35	M	BANGWE
611	SIYAWEZI MUGANGANI	26	M	BANGWE
612	SAFI WABUCHIBWA	4	M	BANGWE
613	SHANGWE ASSUMANI	60	M	BANGWE
614	SWEDI ALIMASI	-	M	BANGWE

/...

615	SADI ALUMBE	1	F	MIKUNGA
616	SELAMANI LUMUNGA	50	F	MIKUNGA
618	SUNGULA AOMBE	49	F	MIKUNGA
619	SAFI ELOCHO	8	M	MIKUNGA
620	SALIYA NAMAHEMBA	9	M	KATUTA
621	SAKINA MIRAMBA	3	F	KATUTA
622	SANGANI RUKAMBO	31	F	KATUTA
623	SALUMU EMBETE	13	M	KATUTA
624	SANGO MATO MUKALO	1	F	KATUTA
625	SHIAPA BARUTI	10	M	KATUTA
626	SAIDI MIRENGE KASONGO	67	M	KASHEKEZI
627	SAKINA SOFIA MIRENGE KASONGO	3	M	KASHEKEZI
627	SAFARI MBEKE	13	F	KASHEKEZI
628	SAMALENGE MYENGE	12	F	KASHEKEZI
629	SANGO ELO'CHO	14	F	KAHAMA
630	SUZANNE ALONDA	35	M	KAHAMA
631	SAFI MUTEREKWA	-	F	KAMBA
632	SALIMA AVOMBA	-	M	KAMBA
633	SANGO HONORINE	-	F	KAMBA
634	SHIMO SHILA	-	M	MAKOBOLA I
635	SOFIA GERARD	-	F	MIKUNGA
636	SWEDI RAMAZANI	-	F	BANGWE
637	SOFIA CHABANI	-	F	BANGWE
638	TUBEREZA CHABANI	-	F	BANGWE
639	TABI SENGO SALIMA	-	F	KASHEKEZI
640	TATU ODENI	58	M	KANYAGWE
641	TENGESHA NSASECHA	-	F	BANGWE
642	THERESE BOBILYA	2	F	MIKUNGA
643	TONGYE HALI	6	F	KASHEKEZI
644	TINOA SAIDI	8	F	KASHEKEZI
645	TENGENESHA BIBIHERI	74	M	MUNENE
646	TOSHA AMIDO	7	F	MUNENE
647	TOBONGYE APENDEKI	72	M	NGALULA
648	TELESYA LEON	-	M	KAMBA
649	TUBEREZ MASHAKO	-	F	KAMBA
650	TATU BYAMUNGU	-	F	KAMBA
651	TAMBWE MULENJWE	-	M	MIKUNGA
652	TEKETEKE RAMAZANI	-	F	KAHAMA
653	TOSHA KABEMBA	9	M	MIKUNGA
654	TERESYA NANGELEI	-	M	MIKUNGA
655	USURI WENYA	5	F	KATUTA
656	UNGWA MMDAMA	8 months	M	MUNENE
657	UMBELECHA ABEKYA	-	F	KAMBA
658	UNGWA PAUL	-	F	MIKUNGA
659	VUMI PUPA	-	M	MIKUNGA
660	VINCENT KITUNGANO	-	M	KAHAMA
661	VICTORINE STELA	-	M	KAHAMA
662	WABIKWA KAHINDO	-	M	KAHAMA

663	WENYA AMISI	-	M	KAHAMA
664	WAMAKANDA ESUBE	-	F	KAHAMA
665	WILONDJA LISASI	-	M	KAHAMA
666	WALUMONA SADI	-	M	KAMBA
667	WABO MBILIZI	-	M	KAMBA
668	WALUCHWELA MBILIZI	31	M	MIKUNGA
669	WALUMONA MBILIZI	10	M	MIKUNGA
670	WANYATA AMISI	12	M	MIKUNGA
671	WEELENDA AMISI	1	M	KATUTA
672	WATUNGYA HAUBELE	9	F	KASHEKEZI
673	WILONDJA JANO	16	M	MUNENE
674	WEBUNGA LUSAKANYA	18	F	NGALULA
675	WEBALO NGOMBE	13	M	NGALULA
676	WABALA MLASHI	-	F	KAMBA
677	WELONGO SAIDI	-	F	MIKUNGA
678	KAMAKANDA WAESUBE	-	F	MIKUNGA
679	WILONDJA WAESUBE	-	F	KAHAMA
680	WITU ANGELE	-	F	KAHAMA
681	YOSTINA LOPONGA	-	F	KASHEKEZI
682	YENA APENDEKI	-	F	KASHEKEZI
683	YENA NAKALA	-	M	KASENYA
684	YALUNDAWA NGYELA	-	M	KAMBA
685	YOHALI EVELINA	-	F	KALOMO
686	YANGWA MISA	-	F	BANGWE
687	YOHANA NALWAGE	60	F	MIKUNGA
688	YOSHUA MALEANI	40	M	MIKUNGA
689	YUSTANI BULENGE	27	F	MIKUNGA
690	YOSE BULENGE	8	M	KATUTA
691	YENA NAMWANUE	20	F	KATUTA
692	YOHANA MWAKWA	11	F	KASHEKEZI
693	YUNIKI NISHIMO	40	F	KASHEKEZI
694	YOHANA GERARD	1	F	KASHEKEZI
695	YENEZA LUMINA	17	F	KASHEKEZI
696	YOHA NA'YENGE	1	M	KASHEKEZI
697	YELAMWA ELISHA	-	M	MUKWEZI
698	YOSE MAONYESHO	-	F	MAKOBOLA I
699	YOKI MAANGAIKO	-	F	MIKUNGA
700	YOHANA OBEDI	-	F	NGALULA
701	YOSEPFU OBEDI	1	F	MIKUNGA
702	ZENEA OBEDI	1	F	KASHEKEZI
703	ZALIYA NAMAHEMBA	-	M	KABUMBE
704	ZAINA NYAMBWE	-	F	KAMBA
705	ZAWADI ABEKYA	-	F	KATUTA
706	ZAINA ATEMBO	1	F	KASHEKEZI
707	ZABULONI ATEMBO	-	M	KABUMBE
708	ZABIBU ONGWA	-	F	KAMBA
709	FAILA ANGENYELE	-	F	KATUTA

Note: 709 persons + 109 unidentified members of families listed = 818.

	Villages affected by the massacre	Number of men killed	Number of women killed	Total number of persons killed
1.	Bangwe	36	30	66
2.	Bashilubanda/Mboko	1	0	1
3.	Cité II/Mboko	1	0	1
4.	Cité III/Mboko	1	0	1
5.	Ilakala	3	6	9
6.	Katuta	24	29	53
7.	Kahama	66	40	106
8.	Kabumbe	4	0	4
9.	Kashekezi	46	6	82
10.	Kasenya	1	3	4
11.	Kamba	43	38	81
12.	Kalomo	7	9	16
13.	Kanyagwe	2	3	5
14.	Kabondozi/Mboko	4	0	4
15.	Kivongolwa	5	6	11
16.	Lusambo	4	0	4
17.	Makobola I	20	18	38
18.	Mikunga	60	70	130
19.	Mukwezi	9	0	9
20.	Munene	9	10	19
21.	Mboko	19	0	19
22.	Mukanjakalo	0	1	1
23.	Ngalula	130	24	154
	Total	495	323	818

Other killings reported in Sud-Kivu
(January and February 1999)

Number	Name	Village or town
1.	Mr. Rubango	Chibeke-Burhale/Walungu
2.	Mr. Chishugi	Lubona/Walungu
3.	Mr. Mulumeoderhwa	Chibanda-Burhale/Walungu
4.	Mr. Lwaboshi	Burhale Centre/Walungu
5.	Mr. Perroquet	Burhale Centre/Walungu
6.	Mr. Bakunzi (elderly village shepherd)	Lubona/Walungu
7.	Driver and assistant to Mr. Tembo	Butuza/Walungu
8.	Mr. Bisimwa	Butuza/Walungu
9.	Unidentified young trader	Butuza Centre/Walungu
15.	Six traders from Ikoma, travelling to Mwenga	Burhale/Walungu
16.	A woman from Mashango/Burhale	Butuza/Walungu
17.	Mr. Bosco Chishugi	Lubona/Walungu
18.	Mr. Bosco Namahira	Lubona/Walungu
19.	Mr. Mwalimu Chirege	Lubona/Walungu
22.	Three persons from Bukavu (beaten and killed)	Mashango-Burhale/Walungu
30.	Eight unidentified persons whose bodies were recovered from the Nshesha river	Nshesha/Walungu
31.	Mr. Olinabanji Chirege	Lubona/Walungu
32.	Mr. Nestor Chikuju (manager of the Irabata plantations)	Lubona/Walungu
33.	Mr. Oscar Mushembe	Lubona/Walungu
34.	Mr. Chirema Kalaba	Lubona/Walungu
35.	Mr. Zahinda	Lubona/Walungu
36.	Mr. Célestin Mugunda	Chiherano/Walungu
37.	Mr. Mataba Chehu	Chiherano/Walungu
38.	Mr. Kasika Modeste	Chiherano/Walungu
39.	Mr. Kamanyu Chidaha	Mulamba/Walungu

Number	Name	Village or town
40.	Mr. Mpangirwa	Mulamba/Walungu
41.	Ms. Mpangirwa	Mulamba/Walungu
43.	Two sons of Mr. Ntumulo	Mushinga/Walungu
45.	Two unidentified persons	Chiherano/Walungu

COMMENTS/CIRCUMSTANCES OF THE KILLINGS

- Abductions

To date there has been no sign of several persons abducted since January 1999 in Burhale, Mushinga, Lubona and Mulamba in the territory of Walungu.

- Massive destruction and spoliation

When the 45 persons listed above were killed in the territory of Walungu in January and February 1999, numerous acts of spoliation and massive destruction were also carried out:

- All the desirable houses of Burhale were taken over by RCD soldiers and "afande" (commanders); 214 dwellings were destroyed, including the lots belonging to Ms. Zakaria, Ntadesa, Lwanwa and Chamunani, and shops in Mashango and Burhale were also destroyed.
- Some 23 dwellings were destroyed by fire in Bwahungu.
- In Mwegerera, Chihambe, Mulamba and Lubona, livestock including goats, pigs, rabbits and chickens were systematically looted and carried off. Cows were also stolen: 45 in Lubona and 18 in Burhale.

From 22 to 27 February 1999 RCD soldiers from Kisangani and Bukavu attacked the centre of Bunyakiri in the territory of Kalehe, looking for Maï-Maï fighters. On this grim occasion the few houses remaining between Bitale and Kampegete were torched. It is also reported that 56 farmers were brutally killed. The area remains inaccessible, and the identities of the victims remain unknown.

On 12 March 1999 the villages of Karhendezi and Mulambi witnessed killings attributed to soldiers of the forces occupying (invading) the Democratic Republic of the Congo. These two villages in the Burhinyi chiefdom in the territory of Mwenga lost more than 18 persons, including:

- Mr. Damien Naalondo and his wife;
- Mr. Kashule Ntavigwa and his mother;

- Ms. M'nakwibiga;
- Mr. André Magumu (30 year-old farmer);
- Ms. M'Shwagi, mother of André Magumu (about 70 years old);
- the entire Kabwana family; and
- the entire Silingi family of five persons.

Note: This list is not exhaustive (provisional tally).

On 17 March 1999, at about 11 a.m., savage massacres of defenceless civilians taking no part in the war being waged in Sud-Kivu province were perpetrated in the farming community of Budaha in the Burhinyi chiefdom of the territory of Mwenga. Provisional reports list more than 146 dead. The circumstances of these massacres make it clear that they were the usual reprisals carried out against civilians by RCD army rabble after suffering a major defeat in the region by Maï-Maï fighters. Set forth below are those names of victims that are available:

	Name of person, family or spouse killed	Men or husbands killed	Women or wives killed	Children killed	Total
1.	Bagabo	1	-	-	1
2.	Bagayamukwe	1	-	1	2
3.	Barhashege Georges	1	1	10	12
4.	Bahagarhe	1	-	1	2
5.	Bisengo	1	-	3	4
6.	Bahozi	1	2	5	8
7.	Benoit	1	-	2	3
8.	Bitundwa Constantin	1	-	-	1
9.	Bulaimwa Murhese	-	-	2	2
10.	Shinde	1	1	9	11
11.	Cikangafu	1	1	4	6
12.	Chidanguli	1	-	1	2
13.	Bugondo	1	1	20	22
14.	Cyprien Mushoshere	1	-	-	1
15.	Murayi Papilo	1	-	-	1
16.	Maombi Hongo	1	-	-	1
17.	Mushegerho	1	1	2	4
18.	Mitima	1	-	2	3

/...

	Name of person, family or spouse killed	Men or husbands killed	Women or wives killed	Children killed	Total
19.	Ludumbiro	1	-	4	5
20.	Makungu	1	1	1	3
21.	Furaha Luganda	-	1	2	3
22.	Georges Mulezi	1	1	4	6
23.	Namuhanda	1	1	-	2
24.	Kafeka	1	-	-	1
25.	Ms. Jeanson	-	-	1	1
26.	Kalinzi Benge	1	-	-	1
27.	Rumonge	1	-	-	1
28.	Bahige Kalinzi	1	-	-	1
29.	Bahati	1	1	1	3
30.	Rhindye Pande	1	1	6	8
31.	Lutwa Karumba	1	-	-	1
32.	Kedurha Panda	1	1	3	5
33.	Lubemba	1	1	1	3
34.	Bagayamukwe	1	-	1	2
35.	Kajalifalu	1	-	-	1
36.	Hamuli	1	-	-	1
37.	Katashi	1	-	1	2
38.	Cyprien Mushoshere	1	-	-	1
39.	Bisimwa Mushesa	1	-	1	2
40.	Bahati	1	1	1	3
41.	Murhega Kalyabijumbu	1	-	-	1
42.	Janvier	1	-	-	1
43.	Karumba	1	-	-	1
44.	Balezi	1	-	-	1
	Total	41	16	89	146

Note: Our sources report that most of the bodies of the 146 victims at Burhinyi/Mwenga were buried in the region in several clearly marked mass graves. Only the bodies of Pater Jamilias Bahagarhe, who had been decapitated, and Bugondo were buried near their dwellings.

From 11 to 13 February 1999 Rwandan-Ugandan operations seeking interahamwe (Rwandan Hutu militia), after firing on Western tourists in Bwindi National Park in Uganda, turned on the civilian population of Nord-Kivu province in the Democratic Republic of the Congo. In the Nord-Kivu town of Loachi alone, the 10 young people listed below were killed in cold blood:

- Mr. Bandu Elena
- Mr. Bolingo
- Mr. Kaedo Lubira
- Mr. Kwabo Busanga
- Mr. Rujori
- Mr. Muhombo Balaa
- Ms. Vumi
- Mr. Luanda Lubira
- Two children aged 10 and 12 years but otherwise unidentified.

On 13 February 1999 the village of Ngesha was invaded by the same Rwandan-Ugandan soldiers. As a direct consequence, five persons were killed: Ms. Maombi and her 5-year-old child, and three women from the neighbouring village who were on their way to Ngesha at the time of these military operations.

In the same region, and at the same time, the villages of Busoro, Lushebere and Nyabyondo in Nord-Kivu suffered attacks similar to those described above. Among the victims were the wife of Mr. Xavier and her child, killed in the village of Busoro; Mr. Kamuzee, also killed in Busoro; Mr. Kulu Kyabinduka, resident of Lushebere, and Messrs. Shekishuba and Mr. Siméon from Nyabyondo.

On Friday, 26 February 1999, Ugandan and Rwandan soldiers invaded the village of Muhanga, firing at random for 2 hours and 35 minutes; they were looking for those responsible for the murder of eight Western tourists. More than 10 persons were killed during this operation, including Mr. Bernard Mabondo, Mr. Yua, the daughter of Mr. Nestor and five other unidentified persons whose bodies were burnt to ashes by a shell that landed on their homes.

From 28 February to 1 March 1999 the villages of Lukweti, Rutshuru and Biholo were also attacked by Rwandan and Ugandan soldiers. The toll was heavy: 78 persons were massacred and have yet to be identified.

- On the Ishasha road 10 persons were killed in the same circumstances as the victims described above.

- Several humanitarian agencies operating in Goma and Nord-Kivu confirm that on 28 February 1999 more than 1,400 families who were fleeing the massacres in Rutshuru and other villages affected by the above-mentioned operations were present in Goma.

- In the territory of Lubero in Nord-Kivu various sources have reported the presence of several hundred families who are also fleeing these murderous reprisals.

At about 10.30 a.m. on 24 February 1999 an armed group, most probably of interahamwe, attacked a convoy of 17 vehicles coming from the direction of Goma along the Goma-Butembo road. The attack took place close to the Mabenga bridge in Virunga National Park, at the place called "Mayi ya Moto" or Katana. Six vehicles were burnt, including three 1924 Mercedes, of which one was a lorry belonging to the Société Congolaise Transport et Messagerie au Kivu (TMK), two Toyota Stout pick-up trucks and a Daihatsu pick-up. The convoy was being escorted by nine Rwandan soldiers. The attackers stole all the vehicles and carried off all the travellers' personal effects. Anyone taken prisoner survived only on payment of a substantial ransom. This operation cost the lives of between 10 and 40 people, including Mr. Kiza, Ms. Supie, Mama Nadege, Kambale Isemimbi and Mr. Stanislas and his two children, who were incinerated in a pick-up. One of the nine military escorts was also killed.

Conclusion

In January, February and March 1999 alone, the Kivu region of the Democratic Republic of the Congo lost 1,100 of its sons and daughters, defenceless civilians who were the victims of the intolerance of both RCD troops and the Rwandan-Burundian-Ugandan armed forces, the main invaders of Kivu.

It is inconceivable that the international community should remain silent in the face of such human tragedy, which Kivu and the Democratic Republic of the Congo have endured for three full months.

The Collectif des organisations et associations des jeunes du Sud-Kivu (COJESKI) continues most emphatically to condemn the pointless massacre of the people of Kivu by the Rwandan-Burundian-Ugandan troops attacking the Democratic Republic of the Congo.

COJESKI takes this opportunity to congratulate the United Nations Security Council on its adoption at its 3993rd meeting, on 9 April 1999, of resolution 1234 (1999), which calls for the withdrawal of Rwandan, Burundian and Ugandan troops from the Democratic Republic of the Congo.

The youth of Sud-Kivu urge the Security Council to take practical measures in connection with this resolution so that the Democratic Republic of the Congo may regain its territorial integrity.

COJESKI requests that an independent investigation be carried out in order to bring to justice and sentence all those directly and indirectly responsible for these civilian massacres, in accordance with international law.

/...

The youth of Sud-Kivu firmly believe that the current conflict in the Democratic Republic of the Congo is unjustified. It is a foreign war designed to plunge the country into a vicious circle of violence that will render it ungovernable.

In view of the foregoing, the youth of Sud-Kivu continue to plead for the withdrawal of foreign troops from national soil and for the establishment of a lasting peace which is so indispensable if the many communities of Kivu that have been pointlessly plunged into grief are to move forward.

Done at Kinshasa on 15 May 1999.

Annex II

LIST OF THE MOST ENDANGERED SPECIES AND OTHER SPECIES AT SERIOUS RISK ESTABLISHED BY THE WASHINGTON CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA (CITES) OF 3 MARCH 1973

I. Most endangered species

1. The great apes[a]
2. Lemurs
3. Pandas
4. South American monkeys
5. Large whales
6. Cheetahs
7. Leopards
8. Tigers
9. Asian elephants
10. All rhinoceroses[a]
11. Birds of prey
12. Cranes
13. Pheasants and parrots
14. Marine turtles
15. Crocodiles and lizards
16. Giant salamanders and some shellfish
17. Cacti

II. Species at serious risk[b]

1. Primates
2. Felines
3. Otters

---

[a] These protected species are killed by the aggressors in defiance of the relevant provisions of this Convention.

[b] In order to prevent species threatened with extinction from being traded as species that are similar in appearance but are not currently threatened with extinction, the latter have also been included in this list.

4. Cetacea
5. Birds of prey
6. Tortoises
7. Crocodiles and orchids
8. African elephants[c]
9. Fur seals
10. Black storks
11. Birds of paradise
12. Coelacanths
13. Bird-winged butterflies
14. Black corals[c]

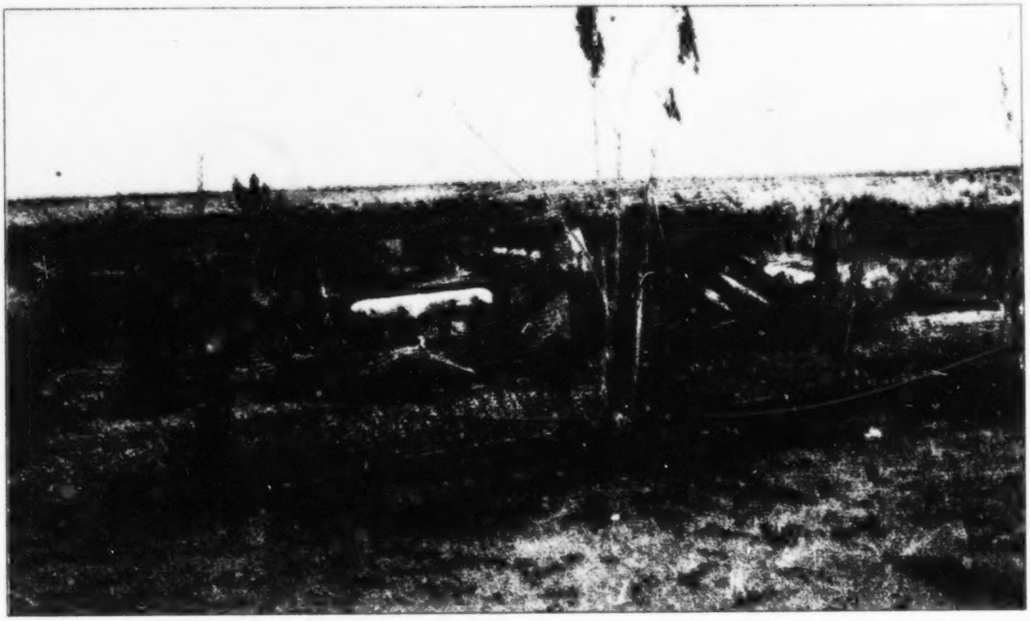
---

[c] International trade in species listed in appendix II must be authorized through a permit issued by the Government of the exporting country. Yet the Burundian-Rwandan-Ugandan coalition did not receive the permission of the Government of the Democratic Republic of the Congo to trade in ivory harvested from elephants on its territory.

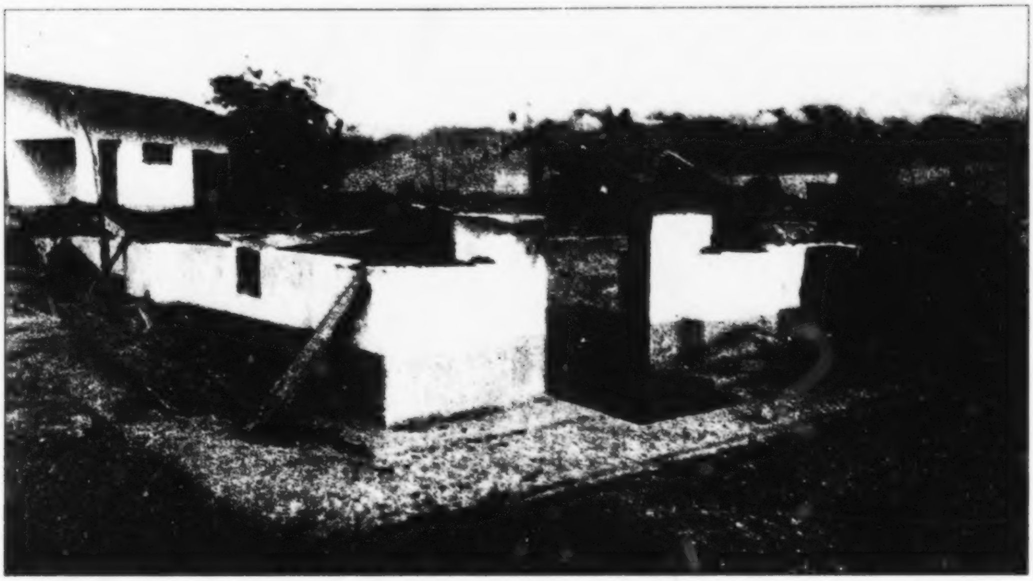
/...

Annex III

Photograph 1. Mr. Muhingo Matimano, Park Ranger at Virunga National Park, killed point-blank by the armed forces of the Burundian-Rwandan-Ugandan coalition when they entered our protected areas. This criminal act violates article 3 of the Universal Declaration of Human Rights, which states that "everyone has the right to life, liberty and security of person", and article 6 of the International Covenant on Civil and Political Rights.



Photograph 2. The Rwindi station was seriously damaged by the bombing carried out by the regular armed forces of Burundi, Rwanda and Uganda. This criminal act violates the relevant provisions of article 55 of the Protocol Additional to the Geneva Conventions of 12 August 1949 relating to the Protection of Victims of International Armed Conflicts (Protocol I), on protection of the natural environment, paragraph 1 of which states: "Care shall be taken in warfare to protect the natural environment against widespread, long-term and severe damage"; article III, paragraph 4 (b) (3), of the African Convention on the conservation of nature and natural resources of 15 September 1968: "'National park' means an area ... in which the killing, hunting and capture of animals and the destruction or collection of plants are prohibited ..."



Photograph 3. The Rwindi luxury hotel, where tourists visiting the Virunga Park stay, was shelled by the aggressor States, Rwanda, Uganda and Burundi, and their Congolese accomplices. This criminal act violates the provisions of article 53 of the Fourth Geneva Convention, which prohibits destruction: "Any destruction by the Occupying Power of real or personal property belonging individually or collectively to private persons, or to the State ..."

Photograph 4. As can be seen, article 57 of Additional Protocol I, on precautions in attack, is constantly being violated by the aggressors and their Congolese accomplices: "In the conduct of military operations, constant care shall be taken to spare the civilian population, civilians and civilian objects" (para. 1). Article 77 of Additional Protocol I, on protection of children, is also violated by the aggressor States, since they target the most vulnerable persons: children, women and the elderly.

Photograph 5. As can be seen, article 57 of Additional Protocol I, on precautions in attack, is constantly being violated by the aggressors and their Congolese accomplices: "In the conduct of military operations, constant care shall be taken to spare the civilian population, civilians and civilian objects" (para. 1). Article 77 of Additional Protocol I, on protection of children, is also violated. The aggressor States concentrate their attacks on vulnerable people: children, women and the elderly.
